

Global Banking School

+44 (0) 207 539 3548

info@globalbanking.ac.uk

www.globalbanking.ac.uk

891 Greenford Road, London

UB6 0HE

GBS Freedom of Speech Code of Practice

Global Banking School

Document title	GBS Freedom of Speech Code of Practice
Partnership applicable to	All GBS provision
Version	V2.3
Approved by (Oversight Committee)	Provost
Policy lead (Staff member accountable)	Head of HR
Date of original approval	December 2019
Date of last review	December 2025
Changes made at the last review:	Updated to reflect new OfS freedom of speech guidance effective from 2025. Minor editorial changes Additional section on freedom of speech complaints
Date effective from	January 2026
Date of next review	July 2027

Related GBS policies

- GBS Health and Safety Policy
- GBS Staff Disciplinary Policy
- GBS Student Complaints Policy and Procedure
- GBS Staff Grievance Policy
- GBS Student Disciplinary Policy
- GBS Equality and Diversity Policy
- GBS CCTV Policy and Procedure
- GBS Data Protection Policy
- GBS Social Media Policy
- GBS External Speaker and Events Policy

External Reference Points

1. Information Commissioner's Office, Accessed online at: <https://ico.org.uk/>
2. UK Public General Acts, *Data Protection Act 2018*, Accessed online at: <https://www.legislation.gov.uk/ukpga/2018/12/contents/enacted>
3. UK Public General Acts, *Human Rights Act 1998*, Accessed online at: <https://www.legislation.gov.uk/ukpga/1998/42/schedule/1/part/I/chapter/9>
4. UK Public General Acts, *Education (No. 2) Act 1986*, Accessed online at: <https://www.legislation.gov.uk/ukpga/1986/61>
5. UK Public General Acts, *Counter-Terrorism and Security Act 2015*, Accessed online at: <https://www.legislation.gov.uk/ukpga/2015/6/section/26>
6. GOV.UK Statutory Guidance, *Prevent duty guidance*, Accessed online at: <https://www.gov.uk/government/publications/prevent-duty-guidance>
7. Higher Education (Freedom of Speech) Act 2023
<https://www.legislation.gov.uk/ukpga/2023/16>
8. Office for Students' Regulatory Advice 24
<https://www.officeforstudents.org.uk/publications/regulatory-advice-24-guidance-related-to-freedom-of-speech/>

Contents

1. Policy Statement.....	5
2. Purpose.....	6
3. Definitions	6
4. Recruitment and Appointments	6
5. Roles and Responsibilities	7
6. Scope	7
7. Legislation	8
8. Code of Practice.....	10
9. Some Wider Considerations and Context	11
10. Internal Meetings and Activities.....	12
11. External Meetings and Activities	13
12. Management of Events and Speakers	13
13. Publicity Materials	14
14. Assessment of Events and Speakers	14
15. Obtaining permission to hold events	15
16. Complaints and investigation procedures	16
17. Breaches of the Code of Practice	16
18. Monitoring and Review.....	16
19. Data Protection and Confidentiality	17
20. Alternative Format.....	17
Appendix A: Activities covered by the Code of Practice	18
Appendix B: Guidance on activities	18

Global Banking School Freedom of Speech Code of Practice

1. Policy Statement

- 1.1. Global Banking School (GBS) supports the principle of freedom of speech and expression within the law as one of the fundamental principles upon which GBS was founded. GBS also has regard to the need to ensure that students (present and past), staff and visiting speakers have the freedom to question, test and to put forward new ideas and controversial or unpopular opinions, without placing themselves at any risk. Every person employed by GBS and every student enrolling should be aware that joining GBS community involves obligations and responsibilities, which are consistent with the law.
- 1.2. Free speech is not an unqualified privilege, and higher education institutions are subject to a range of legislation and obligations to ensure the safety and wellbeing of students, staff, and the wider community. This policy is aligned with the Higher Education (Freedom of Speech) Act 2023 and the Office for Students' Regulatory Advice 24, effective 1 August 2025. GBS recognises its duty to secure freedom of speech within the law for staff, students, and visiting speakers. To give some examples:
 - Supporting students to express lawful opinions in seminars, debates, and student societies.
 - Enabling academic staff to exercise academic freedom lawfully,
 - The protection of freedom of speech does not extend to allowing a speaker to commit a criminal offence in the course of speaking.
 - Institutions of higher education are subject to the statutory duty to have due regard to the need to prevent people from being drawn into terrorism.

- Due regard of other legal responsibilities, such as those relating to preventing discrimination, harassment and victimisation, and the health, safety and welfare of employees, students, external speakers, and visitors.

2. Purpose

- 2.1. The purpose of this policy is to provide a code of practice setting out GBS approach to freedom of speech for the benefit of both students and staff. The policy also provides information and guidance on how GBS staff can recognise and deal appropriately with a freedom of speech issue. The policy reflects updated guidance from the Office for Students on freedom of speech and academic freedom, including the requirement to take all reasonably practicable steps to facilitate lawful expression and to avoid viewpoint discrimination.

3. Definitions

- 3.1. **Freedom of Speech (within the law):** The right of staff, students, and visitors to hold, express, and receive lawful views and information without undue restriction, consistent with the law.
- 3.2. **Academic Freedom:** The freedom of academic staff to question and test received wisdom, conduct research, and teach controversial or unpopular ideas, without undue constraint, consistent with law. (Article 10 of the Human Rights Act 1998 and equality law).

4. Recruitment and Appointments

- 4.1. GBS commits to ensuring that staff recruitment and promotion decisions are not negatively influenced by an applicant's lawful exercise of academic freedom. Similarly, GBS will take practical measures to prevent student applicants from being unfairly disadvantaged when applying for admission or student benefits for the same reasons.

5. Roles and Responsibilities

5.1. Roles and Responsibilities include:

- GBS Board of Directors is responsible for ensuring that appropriate procedures are in place to deal with relevant legislative requirements.
- GBS Chief Executive Officer has overall responsibility for the Freedom of Speech Code of Practice and ensuring that activities (events, external speakers, etc.) comply with the principles of freedom of speech, the details of the Code and procedures for approving relevant activities.

6. Scope

6.1. GBS Freedom of Speech Code of Practice sets out the rights and obligations inherent in supporting the principle of freedom of speech and expression within the law. The Code's obligations and rights apply to:

- GBS (which includes all bodies or persons having authority to determine any matter relevant to this Code).
- All students of GBS
- Any visiting or guest lecturers invited by GBS
- Any alumnus invited by GBS
- Any person or organisation wishing to hire premises controlled by GBS for an event.

6.2. In relation to the holding of any events on premises controlled by GBS, the Code of Practice rights shall also apply to:

- Persons invited or otherwise lawfully on the premises for the purposes of the event.
- Persons who, if it were not for the provisions of this Code, would have been invited to the event.

6.3. Those who are under a duty to observe and uphold the principle of freedom of speech within GBS shall do so at all times, irrespective of whether or not they are on property owned or controlled by GBS.

7. Legislation

7.1. Article 10 of the Human Rights Act 1998

7.1.1. Article 10 of the Human Rights Act¹ states that everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are proscribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

7.2. Education (No 2) Act 1986

7.2.1. Section 43 of the Education (No 2) Act 1986² states that every individual and body of persons concerned in the government of higher education institutions 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 institution and for visiting speakers. This includes, in particular, the duty to ensure, so far as is reasonably practicable, that the use of any premises of the institution is not denied to any individual or body of persons on any ground connected with:

- the beliefs or views of that individual or of any member of that body;
- or
- the policy or objectives of that body

7.2.2. The Act requires that GBS's Board of Directors shall, with a view to facilitating the discharge of this duty, issue and keep up to date a code of practice setting out the procedures to be followed by members, students, and employees of GBS in connection with the organisation of:

¹ Human Rights Act 1998 <http://www.legislation.gov.uk/ukpga/1998/42/schedule/1/part/I/chapter/9>

² Education (No 2) Act 1986, Section 43 <http://www.legislation.gov.uk/ukpga/1986/61>

- Meetings to be held on the premises of GBS and which fall within any class of meeting specified in the code.
- Other activities which are to take place on GBS premises and which fall within any class of activity so specified.
- The conduct required of such persons in connection with any such meeting or activity.

7.2.3. Additionally, the Act states that every individual and body of persons concerned in the governance and management of GBS shall take such steps as are reasonably practicable (including where appropriate the initiation of disciplinary measures) to secure that the requirements of the freedom of speech code of practice are complied with.

7.3. Prevent Duty³

7.3.1. The Counter Terrorism and Security Act 2015⁴ means GBS must have due regard to the need to prevent people from being drawn into terrorism (Section 26). GBS must also have particular regard to the duty to ensure freedom of speech and to the importance of academic freedom (Section 31). Under Section 29, GBS must have regard to any such guidance in carrying out that duty.

7.3.2. GBS complies with this duty in all its aspects, which in practice means striking a fine balance between concerns around extremism and concerns around censorship. The work in promoting British values and GBS values aim to positively address this challenge. It covers many areas of activity, including pastoral support for students, staff training, information sharing and assessing speaker events. In assessing speakers for events associated with GBS, account will be taken of the Government's list of terrorist groups or organisations banned under UK law and details of proscription criteria.

³ The statutory Prevent Duty Guidance has been issued to all 'specified authorities', with additional guidance for institutions of higher education <https://www.gov.uk/government/publications/prevent-duty-guidance> ⁴ Counter Terrorism and Security Act 2015 <http://www.legislation.gov.uk/ukpga/2015/6/section/26>

8. Code of Practice

- 8.1. GBS is an academic community of staff and students. Central to this concept is the ability of all its members freely to challenge prevailing orthodoxies, query the positions and views of others and to put forward ideas that may sometimes be radical in their formulation.
- 8.2. Any individual or body of persons shall be free, within the law, to hold meetings or engage in such other activities of the type set out in Appendix A on the premises of GBS, regardless of the beliefs, views, policies or objectives of that individual or body. Appendix B provides further guidance on types of activities.
- 8.3. When considering any measure that may affect freedom of speech, GBS will apply the following test: Is the speech within the law?
- 8.4. The following non-exhaustive list of UK legislation is relevant to whether speech is “within the law”:
- Communications Act 2003
 - Counter-Terrorism and Security Act 2015
 - Education (No. 2) Act 1986
 - Equality Act 2010
 - Human Rights Act 1998
 - Malicious Communications Act 1988
 - Online Safety Act 2023
 - Protection from Harassment Act 1997
 - Public Order Act 1986
 - Public Order Act 2023
 - Terrorism Act 2000
 - Terrorism Act 2006
- 8.5. Have all reasonably practicable steps been taken to secure the speech? When considering any measure that may affect freedom of speech, GBS will assess what actions are reasonably practicable based on all relevant and available information, including the level of risk involved and the context of the proposed activity.

- 8.6. If a restriction is required, is it prescribed by law and proportionate? If any restriction is considered, GBS will ensure it is required by law and is no more extensive than necessary to address the specific legal risk. Any limitation must be proportionate, evidence-based, and applied only to the extent needed to comply with legal obligations.
- 8.7. GBS will seek to ensure that the use of our premises is not denied on grounds connected with the beliefs, views, policies or objectives of an individual body or body of individuals, as long as such use is at all times within the law. Where there are concerns about an event, GBS will seek to facilitate an open and transparent dialogue with the event organisers to establish whether the event can take place whilst ensuring GBS meets its legal obligations. Event organisers will be expected to take part in this dialogue in an open and transparent manner.
- 8.8. GBS branded events which take place outside of the premises will reflect the values of GBS, as stated in its Strategic Plan - 2024-2027 and will comply with the spirit of the general principles and Code of Practice.
- 8.9. GBS has a zero-tolerance approach to discrimination, bullying, harassment or extremism or acts, which could incite or promote terrorist activity. It has a duty to maintain safety and good order on its premises and is also under a duty to prevent individuals being drawn into terrorism under the Counter Terrorism and Security Act.
- 8.10. All persons to whom this Code of Practice applies are required to observe the principle of freedom of speech whilst on GBS premises and shall show respect and tolerance towards the expression of views, opinions, and beliefs of others, even though those views, opinions or beliefs may run contrary to their own personal views, opinions, or beliefs.

9. Some Wider Considerations and Context

- 9.1. Institutions of higher education do not function in a vacuum, and wider conflicts and disputes, often involving ethnicity or religious faith, may sometimes find expression on GBS premises amongst the student body or other constituencies. The challenge for

institutions of higher education is to identify when the pursuit of freedom of ideas and expression crosses a threshold and becomes unlawful or poses unacceptable risks to the health, safety or welfare of employees, students, or visitors.

- 9.2. GBS will ensure that appropriate procedures are in place in order to allow all its stakeholders to report any instance (direct or indirect) of alleged hate crime, harassment, threat, or intimidation and for their concerns to be investigated promptly and thoroughly, with the appropriate measures taken in response, including, where necessary, reference to the Police and other external bodies.

10. Internal Meetings and Activities

- 10.1. All events involving external speakers on GBS premises must be held in a location that has been booked in accordance with GBS procedures for booking rooms. GBS will not unreasonably refuse to allow events to be held on its premises, however, has a duty to ensure that events are conducted in compliance with the law, including health and safety legislation. Events that cannot demonstrate full compliance with the requirements of the law will not be permitted on GBS premises. Requests to hold events on GBS premises may be declined if a suitable location is not available.
- 10.2. GBS has the discretion, however, has no legal obligation to allow meetings or events held on its premises to be open to members of the public. GBS shall have the right to require that it is provided in advance with a list of all attendees for an event and also has the right to require that events held on its premises may be ticketed.
- 10.3. GBS shall have the right to refuse entry to those attending the event if they bring items onto the premises that it deems to be:
- Unduly provocative or offensive in nature
 - Designed or have the potential for use to cause injury to people or property.
- 10.4. For any proposed event intended to be held on GBS premises, the event organisers should consult with our Campus Facilitators and Coordinators well in advance of the proposed event and no less than two weeks before the proposed date for the event.

11. External Meetings and Activities

11.1. This Freedom of Speech Code of Practice and associated procedures identified above for holding events applies to all events involving external speakers held under the authority or brand of GBS or otherwise associated. This applies regardless of the location of the event. It should be noted for the avoidance of doubt that holding an event at an external venue does not enable this Code of Practice and associated procedures to be circumvented. Failure of staff or students or other responsible individuals to comply with this Code of Practice may result in disciplinary action.

12. Management of Events and Speakers

12.1. Conduct of Speakers

12.1.1. All external speakers must present their ideas and opinions in the spirit of debate and they must be receptive to challenge and questions from all members of the audience. All external speakers must act in accordance with the law and must not breach the lawful rights of others. During the course of the event, no external speaker shall:

- Break the law or incite others to break the law.
- Incite intolerance, discrimination, hatred, or violence.
- Encourage or promote illegal acts or promote individuals, groups or organisations that undertake illegal acts.

12.1.2. These requirements are not exhaustive and GBS reserves the right to terminate an event if it considers that a speaker will not conduct themselves in accordance with this Code of Practice. The Campus Facilitator or Campus Coordinator should be consulted when such matters arise or are thought to have arisen. All external speakers are to be provided with a copy, either electronically or a hard copy, of this Code of Practice. Where appropriate the Campus Facilitator or Campus Co-Ordinator may require the external speaker to confirm in writing to GBS that they have read and understood the Code of Practice and that they agree to abide by its requirements. Where required, this confirmation must be submitted at least seven days in advance of the event.

12.1.3. Any restrictions applied to an event or external speaker must relate only to time, place, or manner, and must be consistent with the OfS three-step framework:

- (i) confirming the speech is lawful,

- (ii) taking all reasonably practicable steps to enable the speech, and
- (iii) applying restrictions only where they are prescribed by law and proportionate.

13. Publicity Materials

13.1. GBS shall have the right to require that it is:

- Provided with copies of all publicity materials for the speaker and the event, together with an explanation of any abbreviations, acronyms, alternative or coined nomenclature or any technical terms used.
- Informed if representatives of the media are to be admitted or excluded. GBS logo and other associated symbols and emblems shall not be used in publicity materials for any event without the written consent of the Campus Facilitator or Campus Coordinator.

14. Assessment of Events and Speakers

14.1. Before giving permission for any event to take place on GBS premises, or off-site under the authority or brand of GBS, the Campus Facilitator or Campus Coordinator must consider and decide upon the following questions:

- Does the proposed speaker or the theme or content of the event contravene the purposes of this Policy, including the need to have due regard to the need to prevent people from being drawn into terrorism?
- Has the proposed speaker been previously barred from speaking at either this or another education establishment for expressing views that contravene the purposes of this Policy?
- Will the proposed speaker or the theme or content of the event be likely to attract attendance from individuals or groups that have previously been known to express views or to act in ways that contravene the purposes of this Policy?
- Is there or might there be an intention to segregate the audience on the basis of any protected characteristic?
- Has the event been organised to raise or gather funds for any individual, organisation or cause that encourages, promotes, or undertakes acts that break the law?

- Are any objections to the proposed speaker based on a lawful exercise of their academic freedom, or on any other legally protected grounds?

- 14.2. If the answer is no to all of the above questions and it is clear that there are no issues that require further consideration then the organisation of the event can be approved to proceed by the Campus Facilitator or Campus Coordinator.
- 14.3. If the answer is yes to one or more of these questions or there is uncertainty or further consideration required in relation to any of the questions, then a request to approve an external speaker or the theme or content of the event should be discussed and decided upon by the Campus Facilitator or Campus Coordinator in consultation with the Chief Executive Officer.
- 14.4. This set of questions is not exhaustive and the Campus Facilitator or Campus Coordinator has the discretion to consider other factors. GBS will also have the discretion to consult other parties and external information sources as part of his or her deliberations. In all circumstances, GBS should only take such action and make such decisions as it considers proportionate, objective, reasonable, and fair to the furtherance and fulfilment of this policy.

15. Obtaining permission to hold events

- 15.1. The event organiser (the person—member of staff or student or student group) responsible for organising the event must first check with the Campus Facilitator or Campus Coordinator that accommodation at GBS would be available. Following this, the event organiser must complete the Form for Obtaining Permission to Hold an Event or Invite an Outside speaker and then submit this with any additional appropriate documents to the Campus Facilitator or Campus Coordinator to obtain a decision over whether or not the proposed event and/or outside speaker can be approved. Permission decisions will follow the OfS three-step framework and will include consideration of any reasonably practicable steps that would allow the event to proceed with lawful speech.

16. Complaints and investigation procedures

- 16.1. Staff members who believe the institution is failing in its obligation to protect academic freedom or freedom of speech should report their concerns promptly via the GBS Staff Grievance Policy.
- 16.2. Students who believe the institution has not met its duty regarding freedom of speech are encouraged to follow the GBS Student Complaints Policy and Procedure.
- 16.3. If a student complaint remains unresolved after following GBS's internal procedures, it may be referred to the Office of the Independent Adjudicator for Higher Education.

17. Breaches of the Code of Practice

- 17.1. Any breach of the provisions of this Code of Practice shall be punishable under the appropriate Disciplinary Procedures of GBS, where applicable. It shall be the duty of all those subject to this Code of Practice to assist GBS in upholding the rights of freedom of speech set out in this Code.
- 17.2. Where a breach of this Code of Practice occurs, it shall be a duty of all to whom this Code of Practice applies to take all reasonable steps to secure the identification of persons involved in that breach. Where breaches of the criminal law occur, GBS shall, where appropriate, assist the Police and the Crown Prosecution Service. In respect of any criminal charges, GBS, shall not, unless the Chief Executive Officer determines otherwise, proceed with any disciplinary proceedings in respect of the same matters, until the conclusion on any ongoing criminal proceedings. Investigations and disciplinary procedures will not penalise individuals for expressing lawful opinions, even if controversial or unpopular, provided such expression complies with law and relevant GBS policies.
- 17.3. The operation of the Code shall be monitored by GBS Board of Directors and overseen by Academic Board.

18. Monitoring and Review

- 18.1. This policy may be amended by GBS at any time and will be reviewed annually to ensure it is fit for purpose. Any issues related to the monitoring and review of this policy, please contact the Governance Team at governance@globalbanking.ac.uk.

19. Data Protection and Confidentiality

- 19.1. GBS is registered with the Information Commissioner's Office as a Data Controller. Details of the School's registration are published on the Information Commissioners website. GBS as a Data Controller shall implement appropriate technical and organisational measures to ensure that processing of personal information is performed in accordance with the UK General Data Protection Regulations (UK GDPR) and under the Data Protection Act 2018 (DPA).

20. Alternative Format

- 20.1. This policy can be provided in alternative formats (including large print, audio and electronic) upon request. For further information, or to make a request, please contact the Governance Team at governance@globalbanking.ac.uk.

Appendix A: Activities covered by the Code of Practice

Activities covered by Global Banking School Freedom of Speech Code of Practice include:

- I. Meetings, lectures, talks, seminars, tutorials, classes, short courses, conferences, other teaching, or informative activities of a similar nature.
- II. Stage plays, cinematic or video film showings, music concerts, literary readings.
- III. Demonstrations, processions, pickets.

Appendix B: Guidance on activities

Event: An event is any gathering (which would include meetings, events, and other activities) conducted, hosted, or sponsored by Global Banking School and events hosted by other organisations that take place on GBS premises. The person, society or group who takes responsibility for organising an event will be referred to as the Event Organiser.

External Speaker: External speaker event is any event that involves an external speaker addressing a group, including in a teaching, learning or research setting (lecture, conference, seminar) or in the context of extracurricular activity. This does not include meetings held in the normal course of GBS administration or management, provided that (with the exception of the external speaker) they are attended exclusively by staff or managers of GBS.

An external speaker is anyone who is not a member of GBS community and who is invited to speak at an event in order to provide or disseminate their views, ideas or opinions on a given topic. For example, a guest lecturer, member of a discussion panel, those giving religious addresses or prayer leaders would be an external speaker. A trainer, for example, who leads a fitness class would not usually be classed as an external speaker.

Campus staff: Campus Facilitator or Campus Coordinator is the person who looks after external room bookings at each GBS campus.

A Proscribed Group is an organisation which has been banned from the UK and placed on the UK Government's proscribed groups list.