

FREE SPEECH CODE OF PRACTICE

1. Overview

- 1.1 London Business School is committed to securing freedom of speech within the law for its students, employees and visiting speakers. The School's Free Speech Code of Practice set out the steps taken by the School to ensure that freedom of speech within the law is secured.

2. Values relating to Freedom of Speech

- 2.1 The School's purpose is to have a profound impact on the way the world does business and the way business impacts the world, by shaping a collaborative, diverse and inclusive community where talented people grow and realise their potential.
- 2.2 The School works to create an equal and fair workplace where all individuals belong and thrive in line with its policies and behaviours.
- 2.3 In line with its purpose and the principles relating to academic freedom set out in its Charter and Statutes, the School is committed to creating a learning and working environment in which all members of the School community are free within the law to question and test received wisdom and to put forward new ideas and controversial or unpopular opinions.
- 2.4 The School is committed to promoting freedom of speech within the law, recognising that all speech is lawful unless restricted by a law made or authorised by the UK Government or the courts, and that free speech includes lawful speech that is shocking, disturbing or offensive.

3. Legal Context

- 3.1 The School is a registered higher education provider in England and is subject to Part A1 of the Higher Education and Research Act 2017 ("HERA"), as inserted by the Higher Education (Freedom of Speech) Act 2023 (the "Act").
- 3.2 The Act requires providers:
 - a. To take the steps that, having particular regard to the importance of freedom of speech, are reasonably practicable for it to take in order to secure freedom of speech within the law for its staff, members, students and visiting speakers. This includes, in relation to academic staff, securing their academic freedom.
 - b. To maintain a code of practice setting out matters relating to freedom of speech.
 - c. To promote the importance of freedom of speech within the law and academic freedom in the provision of higher education.

- 3.3 The Act protects free speech within the law. It does not protect unlawful speech. The Act does not require providers to take steps to secure freedom of speech in respect of their activities outside England.

4. Scope

- 4.1 This Code of Practice applies to all decisions, procedures and activities of the School – both on and off campus – which may directly or indirectly (and positively or negatively) affect freedom of speech for its staff, faculty, members, students and visiting speakers within the law (including, in relation to academic staff, their academic freedom). This includes but is not limited to its procedures and activities in the following areas:
- admission of students to degree programmes
 - appointment, reappointment and promotion of faculty and staff
 - disciplinary, complaints and investigation matters
 - employment contracts (that may include conditions on speech)
 - equality or equity, diversity and inclusion including the Public Sector Equality Duty set out in the Equality Act 2010
 - harassment and bullying policies
 - IT, including acceptable use policies and surveillance of social media use
 - the School's duty under the Counter-Terrorism and Security Act 2015 to have due regard to the need to prevent people from being drawn into terrorism (the "Prevent duty")
 - principles of curricular design
 - research ethics
 - speaker events
 - the organisation of teaching or research-related activities, including research institutes and initiatives
 - employee and student codes of conduct.

This Code of Practice does not apply to the School's activities outside England (or to decisions and procedures regarding such activities).

- 4.2 Anyone involved in organising or taking decisions in relation to all such in-scope policies or activities must have particular regard to the importance of freedom of speech within the law and academic freedom, and must act consistently with this Code of Practice (including Section 5 – "Procedures") and the School's statutory free speech duties when exercising their functions.
- 4.3 Anyone attending or participating in all such in-scope activities must comply with the Conduct rules set out in Section 8.1.
- 4.4 Where the School has separate policies or procedures governing the activities listed in paragraph 4.1, those policies and procedures must be read and applied consistently with this Code of Practice. In the event of any inconsistency, this Code of Practice shall prevail where freedom of speech within the law and academic freedom are concerned.
- 4.5 Any questions or doubt about the scope of this Code of Practice should be directed to the School Secretary.

5. Procedures

5.1 Procedural application of the Code (general)

5.1.1 The starting point is that lawful speech should generally be permitted and that preventing or limiting speech should be rare and exceptional. Whenever anyone exercises functions or make decisions that may directly or indirectly affect freedom of speech for the School's staff, faculty, members, students and visiting speakers (including, in relation to academic staff, their academic freedom), the following steps must first be followed:

- (1) **Is the speech lawful?** Decision-makers must first consider whether the affected speech is lawful. If it is unlawful, the duty to secure and permit that speech does not apply. Individuals concerned that unlawful speech may have occurred or is at risk of occurring in connection with the School should notify the School Secretary immediately.

All speech is lawful unless restricted by a law made or authorised by the UK Government or the courts. Speech can be unlawful in a number of circumstances, under a number of legislative provisions, such as (but not limited to) where it amounts to unlawful harassment, expression of or incitement to racial or religious hatred or violence, direct support of a proscribed terrorist organisations, or a public order offence. Non-exhaustive examples of unlawful speech are set out in more detail in the Appendix.

- (2) **Is securing the speech reasonably practicable?** If the speech is lawful, the decision-maker must then consider whether there are reasonably practicable ways to secure the speech, allowing it to take place safely, and consistently with the School's legal obligations and essential functions, rather than preventing it. If there are, the speech should not be restricted.

Factors that may be relevant to whether securing the lawful speech is reasonably practicable include (but are not limited to):

- Whether securing the speech is consistent with the School's legal obligations, such as but not limited to its duties under the Equality Act 2010 and the Counter-Terrorism and Security Act 2015. Examples of the School's obligations in these areas are set out in more detail in the Appendix.
- Whether the speech would interfere with the School's essential functions (such as learning, teaching and research).
- Whether the speech poses a risk to physical safety.
- Whether any reasonable mitigations can be put in place to sufficiently limit the above risks so that the speech can take place, rather than restricting or cancelling it. More detail on the approach decision-makers should take to mitigations in the context of events and activities is set out in Section 5.3 – "Mitigation Measures".

- (3) **Is the restriction proportionate?** If there is no reasonably practicable way to allow the speech to take place, the speech may be restricted but any such restriction must be proportionate and go no further than is necessary.

Before making a decision which restricts speech under step (3) the decision-maker must inform the School Secretary of the proposed decision for approval, providing reasons why they consider it is not reasonably practicable to secure the speech and why the proposed restriction is proportionate. *This does not apply to event approval and escalation processes under Section 5.2 for which the specific escalation procedures specified in 5.2 shall apply.*

5.1.2 Conclusions and decisions reached under 5.1.1(2) and (3) must not take into account the viewpoint expressed, whether it is controversial or offensive, reputational considerations, whether it aligns with the School's aims or values or disagreement with the content of the speech whether from internal or external groups, except where the law requires.

5.1.3 All decisions must be made consistently with this Code of Practice and, where applicable, recorded in accordance with the School's governance arrangements.

5.2 Event approval and escalation procedure

5.2.1 The event approval and escalation procedure specified in this Section 5.2 applies to all in-person, hybrid and online events and activities that London Business School controls, hosts, approves, lends London Business School branding to, or makes premises available for.

5.2.2 The primary point of contact for questions about the escalation process shall be the School Secretary or a person delegated by the School Secretary and notified to the organiser.

School Events (on campus or hybrid)

5.2.3 Any staff, faculty or student wishing to organise an on-campus or hybrid event (other than a Student Event falling under the scope of 5.2.9) should submit a completed Space Request Booking Sheet to the School's Space Management Team where either:

(a) such submission is required to secure the appropriate space (*note that not all bookings require use of a Space Request Booking Sheet to secure the space*); or

(b) the event satisfies any of the following conditions:

- it may put at risk the School's compliance with its legal obligations, the fulfilment of its essential functions, or the physical safety of individuals
- it may entail a risk of protest activity
- it is an external speaker event
- it involves a controversial subject matter.

5.2.4 For on-campus or hybrid activities where a Space Request Booking Sheet is not required under Section 5.2.3(a) or (b), the general process specified in Section 5.1 will apply. This will typically include the following categories of event or meeting:

(a) events relating to the delivery of degree, executive education and PhD programmes including Career Centre activities.

(b) routine internal business events or meetings involving employees and/or students.

5.2.5 Event organisers are responsible for providing accurate and complete information at the point of booking or notification, including details of speakers and any known factors that may raise considerations under this Code of Practice, and working promptly and reasonably to provide updated information on request or if and when any changes arise. This information will be reviewed as part of the approval and escalation process set out below.

5.2.6 The Space Management Team shall review completed Booking Sheet requests in a timely manner. If the Space Management Team concludes (following the steps in Section 5.1.1 (1) and (2) of this Code, and liaising with Head of Campus Services where applicable under 5.4.1) that the proposed event may result in unlawful speech or speech which it may not be reasonably practicable for the School to secure (or otherwise engages the School's positive or negative freedom of speech duties), the Associate Director, Estates and Campus Services will refer the proposed event to the School

Secretary. In all other cases they will proceed to liaise with the organiser over the logistics of the event.

5.2.7 Following escalation under 5.2.6 the School Secretary shall review the proposed event in a timely manner. If the School Secretary concludes (following the steps in Section 5.1.1 (1) and (2) of this Code) that the proposed event may result in unlawful speech or speech which it may not be reasonably practicable for the School to secure (or otherwise engages the School's positive or negative freedom of speech duties), they will refer the issue to the Executive Committee for consideration. Otherwise, they will inform the Associate Director, Estates and Campus Services that the event can proceed.

5.2.8 Following escalation under 5.2.7 the Executive Committee shall review the proposed event in a timely manner. If the Executive Committee concludes (following the steps in Section 5.1.1 (1)-(3) of this Code) that the proposed event can go ahead without any restrictions, the School Secretary will inform the Associate Director, Estates and Campus Services. If instead the Executive Committee concludes that:

- a) the event cannot go ahead, or
- b) the event can go ahead subject to compliance with defined restrictions (which are proportionate and go no further than is necessary)
- c) any other steps should be considered or implemented by the School

the School Secretary will be responsible for liaison with the event organiser and the Associate Director, Estates and Campus Services or any other relevant individuals to implement the decision. The School Secretary will additionally be responsible for the sharing of information on events with external bodies and other institutions as required.

Student Events (on campus or hybrid)

5.2.9 Any student wishing to organise an event on behalf of the Student Association, a student club or other group of students should submit a completed Space Request Booking Sheet to the Senior Manager, Student Engagement and the School's Space Management Team.

5.2.10 Event organisers are responsible for providing accurate and complete information at the point of booking or notification, including details of speakers and any known factors that may raise considerations under this Code of Practice, and providing updated information if and when any changes arise. This information will be reviewed as part of the approval and escalation process set out below.

5.2.11 The Senior Manager, Student Engagement shall review completed Booking Sheet requests in a timely manner. If the Senior Manager, Student Engagement concludes (following the steps in Section 5.1.1 (1) and (2) of this Code and liaising with Head of Campus Services where applicable under Section 5.4.1) that the proposed event may result in unlawful speech or speech which it may not be reasonably practicable for the School to secure (or otherwise engages the School's positive or negative freedom of speech duties), they will refer the proposed event to the School Secretary. In all other cases the Senior Manager, Student Engagement and the Space Management Team will proceed to liaise with the organiser over the logistics of the event.

5.2.12 Following escalation under 5.2.11, the School Secretary shall review the proposed event in a timely manner. If the School Secretary concludes (following the steps in Section 5.1.1 (1) and (2) of this Code) that the proposed event may result in unlawful speech or speech which it may not be reasonably practicable for the School to secure (or otherwise engages the School's positive or negative freedom of speech duties), they will refer the issue to the Executive Committee for

consideration. Otherwise, they will inform the Senior Manager, Student Engagement and Associate Director, Estates and Campus Services that the event can proceed.

5.2.13 Following escalation under 5.2.12, the Executive Committee shall review the proposed event in a timely manner. If the Executive Committee concludes (following the steps in Section 5.1.1 (1)-(3) of this Code) that the proposed event can go ahead without any restrictions, the School Secretary will inform the Associate Director, Estates and Campus Services and the Senior Manager, Student Engagement. If instead the Executive Committee concludes that:

- a) the event cannot go ahead, or
- b) the event can go ahead subject to compliance with defined restrictions (which are proportionate and go no further than is necessary)
- c) any other steps should be considered or implemented by the School

the School Secretary will be responsible for liaison with the Senior Manager, Student Engagement and the event organiser. The School Secretary will additionally be responsible for the sharing of information on events with external bodies and other institutions as required.

Alumni Events (on campus or hybrid)

5.2.14 The Alumni Engagement team is responsible for submitting a Space Request Booking Sheet to the School's Space Management Team in relation to any alumni event which it is proposed should take place on campus. Event organisers are responsible for providing accurate and complete information at the point of booking or notification, including details of speakers and any known factors that may raise considerations under this Code of Practice, and providing updated information if and when any changes arise. The Space Management Team will assess the proposed event in accordance with the procedure set out in 5.2.3-5.2.8. However, if the event does not affect the freedom of speech for staff, students, visiting speakers or members (noting that Alumni do not qualify as members of the School under the Act), the secure duty does not apply and the Executive Committee is not required to ensure any restrictions imposed comply with the steps set out at 5.1.1(1)-(3).

Off-Campus Events and Online Events

5.2.15 Anyone wishing to organise an off-campus event or online event which the School is to control, host, approve, or lend its branding to that meets the conditions set out in 5.2.3(b) above, must provide details of the event to the School Secretary for approval in accordance with the process outlined at 5.2.5 and 5.2.7-5.2.8 above.

5.3 Mitigation measures

5.3.1 Where a proposed activity or event involves lawful speech but gives rise to concerns about safety, disruption, or the essential functions of the School the School will consider (in accordance with procedures set out in 5.1 and/or 5.2 as applicable) whether there are reasonably practicable steps that can be taken to allow the speech to take place, rather than restricting or cancelling it, having particular regard to the importance of freedom of speech.

5.3.2 Such mitigation measures may include, where appropriate:

- providing suitable security or stewarding arrangements
- adjusting the time, location or format of an activity or event
- using ticketing, registration or access controls
- appointing a chair or moderator to support orderly discussion
- issuing guidance on expected conduct for participants
- facilitating parallel events or opportunities for alternative viewpoints to be expressed

- offering support to those affected by issues raised, without preventing the issues from being discussed.

5.3.3 Mitigation measures should be aimed at enabling lawful speech to proceed safely and effectively, and should not be used to limit or control speech based on the viewpoint expressed, whether it is controversial or offensive, reputational considerations, whether it aligns with the School's aims or values, or disagreement with the content of the speech whether from internal or external groups, except where the law requires.

5.3.4 Decisions relating to mitigation measures should be taken consistently with this Code of Practice and, where relevant, recorded in accordance with the School's governance arrangements.

5.4 Criteria for passing on security costs

5.4.1 The Associate Director, Estates and Campus Services (for School Events) or the Senior Manager, Student Engagement (for Student Events) will forward the completed Space Request Booking Form for any event considered to pose a potential risk to any member of the School community or to the School's operations to the Head of Campus Services to carry out a risk assessment. The Head of Campus Services shall be responsible for determining whether and what security arrangements would sufficiently mitigate the risk of the event proceeding.

5.4.2 Generally, the School will be responsible for meeting the cost of the security arrangements. However, the event organiser will be responsible for meeting any exceptional security costs required to enable the event to proceed without risk to any member of the School community or to the School's operations. Exceptional security costs are defined as that proportion of the required security costs which are materially above the security costs the School would have typically incurred for an event of the same size in the same location.

5.4.3 Where the threshold for exceptional security costs is met, the School will provide a clear written summary of the calculation of the cost and explanation for the cost. That calculation may be appealed through a submission in writing to the School Secretary. The School will endeavour to progress the appeal investigation without undue delay. Event organisers are encouraged to submit Space Request Booking Sheets for controversial events as far ahead of the scheduled event as possible to give time for any appeal process to be concluded ahead of the scheduled event date.

6 Governance

6.1 The School's Management Board is responsible for the approval of this Free Speech Code of Practice and for ensuring that the School meets its statutory duties relating freedom of speech within the law and academic freedom.

6.2 The Management Board is responsible for making and delegating decisions about any matters that could directly or indirectly affect compliance with the School's free speech duties.

6.3 The School Secretary is responsible for the day-to-day implementation of the Code of Practice, including responsibility for overseeing its application in practice and for the review of matters that may engage the School's free speech duties, including the review of events as set out in section 5.2 above.

6.4 Where decisions or actions under this Code are delegated to other staff or committees, such delegation must be exercised consistently with this Code of Practice and the School's governance arrangements.

- 6.5 Decisions that are likely to have a significant effect on freedom of speech (positive or negative) within the law or academic freedom should be recorded in accordance with the School's governance arrangements.
- 6.6 Where speech is restricted or conditions are imposed, records should, so far as reasonably practicable, identify the considerations taken into account, the reasons for the decision, and any alternative steps that were considered in order to secure the speech.
- 6.7 Records maintained under this section may be used to support internal assurance, regulatory engagement, or external review, where required.

7 Training and awareness

- 7.1 The School will ensure that staff involved in making decisions or recommendations that may directly or indirectly affect freedom of speech within the law or academic freedom receive appropriate training on the School's free speech duties, this Code of Practice, and the relevant legal framework.
- 7.2 Any training provided will be designed to ensure an up-to-date understanding of the School's legal duties and procedures and will not require staff to endorse or affirm any particular viewpoint, belief or value-judgement as a condition of completion.
- 7.3 So far as is reasonably practicable, the School will take steps to ensure that staff and students are made aware of this Code of Practice and of the importance of freedom of speech within the law and academic freedom, including through induction processes and the publication of the Code in an accessible and prominent manner.

8 Conduct

- 8.1 Anyone attending or participating in events, meetings or activities of the School falling within the scope of Section 4.1 must not act in any way which is threatening, abusive, unduly disruptive, or which is inconsistent with (i) the promotion of freedom of speech within the law in all aspects of the School's activities and (ii) securing freedom of speech within the law for the School's staff, faculty, members, students and visiting speakers (including, in relation to academic staff, their academic freedom), recognising that:
- Everyone has the right to free speech within the law.
 - The School is committed to creating a learning environment in which all members of the School community are free within the law to question and test received wisdom and to put forward new ideas and controversial or unpopular opinions.
 - The School is committed to creating an equal and fair environment where individuals belong and thrive in line with its policies and behaviours (such as but not limited to its Bullying and Harassment policy and Student Code of Conduct).
 - Organisers of events who might reasonably have suspected the speaker invited would use their platform to break the law may fall foul of the law themselves.
 - Protest is itself a legitimate expression of freedom of speech. However, protest must not shut down debate.
- 8.2 Everyone subject to obligations under this Code of Practice must comply with it. Any failure to comply may result in disciplinary action.

9 Complaints and investigations

- 9.1 Where a complaint or concern is raised in relation to speech or expression, the School will carry out a preliminary assessment to determine whether the speech is lawful and whether it is capable of amounting to a breach of the law or of any lawful, proportionate and clearly defined restriction applied consistently with this Code of Practice.
- 9.2 Preliminary assessments and decisions under this Code will be taken by appropriately authorised staff in accordance with the School's governance arrangements, with escalation to the School Secretary where required.
- 9.3 Complaints relating solely to the lawful expression of ideas, opinions or information which are clearly consistent with any restrictions that the School has properly applied in accordance with this Code, including expression that may be controversial, unpopular, disturbing or offensive, will not normally proceed to formal investigation or disciplinary action following a preliminary assessment.
- 9.4 Where an investigation is considered necessary, it will be limited to what is reasonably required, conducted proportionately, fairly, and as quickly as reasonably practicable, and undertaken with particular regard to the importance of freedom of speech within the law and (in relation to academic staff) academic freedom.
- 9.5 Disciplinary action in relation to speech will be taken only where conduct is unlawful or where it breaches lawful, proportionate and clearly defined restrictions applied consistently with this Code of Practice.

APPENDIX

A. Illustrative examples of unlawful speech

- (1) Under the Public Order Act 1986 it is an offence if a person:
- a. uses towards another person threatening, abusive or insulting words or behaviour, or
 - b. distributes or displays to another person any writing, sign or other visible representation which is threatening, abusive or insulting,
- with the intent to cause that person to believe that immediate unlawful violence will be used against him or another by any person, or to provoke the immediate use of unlawful violence by that person or another, or whereby that person is likely to believe that such violence will be used or it is likely that such violence will be provoked. Speech which is unlawful under the Public Order Act 1986 is not 'within the law' and the Act imposes no obligation to secure it.
- (2) The Terrorism Act 2000 prohibits (among other things) speech that:
- a. Invites support for a proscribed organisation, and the support is not, or is not restricted to, the provision of money or other property; or
 - b. Expresses an opinion or belief that is supportive of a proscribed organisation, and in doing so is reckless as to whether a person to whom the expression is directed will be encouraged to support a proscribed organisation.
- It is also unlawful to address a meeting if the purpose of the address is to encourage support for a proscribed organisation or to further its activities. Speech that amounts to an offence under the Terrorism Act 2000 is not 'within the law' and the Act imposes no obligation to secure it.

B. Illustrative examples of obligations on higher education providers which may on occasion be incompatible with, or need to be balanced against, securing speech

- (1) The School is committed to ensuring that it meets its public sector equality duty under the Equality Act 2010 by:
 - a) Eliminating unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act.
 - b) Advancing equality of opportunity and fostering good relations between people who share a protected characteristic – age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief and sexual orientation - and those who do not by:
 - Removing or minimising disadvantages suffered by people due to their protected characteristics.
 - Taking steps to meet the needs of people from protected groups where these are different from the needs of other people.
 - Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.
 - c) Fostering good relations between persons who share a relevant protected characteristic and persons who do not share it.
- (2) The Counter-Terrorism and Security Act 2015 introduced a duty on higher education institutions to have due regard to the need to prevent people being drawn into terrorism – the Prevent Duty. In accordance with the Act, institutions are required to place an appropriate amount of weight on the need to prevent students being drawn into terrorism when it considers all the other factors, including ensuring freedom of speech and academic freedom, relevant to how it carries out its usual functions.
- (3) Higher education providers have duties under health and safety legislation to ensure, so far as reasonably practicable:
 - the health, safety and welfare at work of their employees
 - that they conduct their undertaking in such a way that persons not in their employment who may be affected thereby (e.g., students, external speakers and other visitors) are not exposed to risks to their health and safety.

It is the policy of the School to maintain high standards of health and safety management and to encourage its employees, students, participants and contractors to contribute to their own welfare and that of their colleagues and others affected by the School's activities.

7 July 2026