

**Imperial College Union
Board of Trustees / 23 July 2025**

Freedom of Speech – Update

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1. Executive Summary

Management Committee recommends that Board **rescind the ICU Freedom of Speech Code of Practice approved last July (TB/23-24/75) and approve the new ICU Freedom of Speech Policy Statement** instead, considering finalised guidance released by the OfS on 19 June 2025.

2. Background

The Higher Education (Freedom of Speech) Act 2023 made changes to Section A6 of Part A1 of the Higher Education and Research Act 2017 regarding the protection of free speech.

The Act gave the Office for Students (OfS) new duties to create a condition of registration on free speech for registered providers, to introduce a complaints scheme for individuals to raise free speech grievances, and to directly require Students' Unions (SUs) to promote and protect free speech. The OfS were also granted new powers to monitor SUs compliance with this duty.

In late June 2024, the incoming Labour government paused the implementation of this Act, suggesting changes would be made. In January 2025, the Secretary of State confirmed that while the core duties of the Act would remain, others would be changed or removed - including the duties placed on SUs.

On 19 June 2025, the OfS released finalised guidance on how the OfS will implement and monitor the Act, most of which reaffirms what was set out in January by the Secretary of State. Key changes include -

- The removal of the duties placed directly on Students' Unions and the OfS's ability to monitor them directly – instead SUs will be regulated through their providers.
 - Providers must set out in their Code of Practice how their students' union will ensure that affiliation is not denied to any student society on the grounds of its lawful policy or objectives, or the lawful ideas or opinions of its members.
 - SUs will be expected to follow the Codes of Practice of their providers, and the provider will be responsible for ensuring this.
- The OfS will no longer run a complaints scheme for students on free speech matters – instead they will be expected to use internal processes and the OIA.
- Visiting speakers and staff of providers will still be able to complain via the OfS on free speech matters.

Our Code of Practice created last year is no longer a legal requirement, however, we still wish to affirm our commitment to free speech. We have created a simplified policy (Appendix 1), in which we point to University's Code, which we are required to follow.

The finalised guidance and duties on providers come into force from 1 August 2025.

3. Recommendation

Board is asked to resolve that it rescinds the ICU Freedom of Speech Code of Practice approved last July and approve the new ICU Freedom of Speech Policy Statement instead.

Appendix 1 – ICU Freedom of Speech Policy Statement

Imperial College Union (ICU) is committed to protecting and promoting free speech across all of our activities. We encourage and support all members to express themselves and their opinions freely within the law and expect all members and invited guests to maintain mutual respect and tolerance to those with different viewpoints.

Understanding that freedom of speech is not an unqualified right – ICU do not accept the expression of views which amount to racial or religious hatred, incitement of violence or public disorder, harassment or unlawful discrimination.

Activities at ICU are subject to the University's Freedom of Speech Code of Practice [[Freedom of Speech | Administration and support services | Imperial College London](#)] and all members must follow this Code.

As an organisation we will ensure that our policies and procedures reflect the high level of protection given to the expression of lawful viewpoints and take reasonably practicable steps to uphold this.

As a charity, ICU will not take institutional positions on political, cultural, and religious debates without this being expressly agreed by our highest level of student representation, in increasing order of precedence:

- i. the Officer Trustees
- ii. Union Council or referendum
- iii. Union Trustee Board

This ensures members do not feel unable to express their lawful viewpoints at ICU.