



The Institute of Ismaili Studies

## **The Institute of Ismaili Studies**

### **Code of Practice on Freedom of Speech**

#### **1. Introduction**

The Institute is fully committed to the principle of freedom of speech and academic freedom. It is an academic community of staff and students, a place for open, critical thinking, and the creation, sharing and dissemination of knowledge. Its academic and educational activities promote an academic understanding of the diversity of expressions within Islam and its relationship with other religious traditions, as well as the secular world. Within this broad span, it pays special attention to research into, and disseminating knowledge relating to, the religious, spiritual and cultural heritage of the Shia Imami Ismaili Tariqah of Islam and its relationship with the wider world.

The Institute's programmes encourage a perspective which is not confined to the theological heritage of Islam and promote an interdisciplinary approach to the study of Islamic history and thought.

Freedom of speech and academic freedom within the law are protected.

Freedom of speech is the right to express lawful views and opinions freely, in speech or in writing, without interference.

Academic freedom refers to the intellectual independence of academics to question and test received views and wisdom, and to put forward new ideas and controversial or unpopular opinions. The Institute is committed to protecting the academic freedom of its staff to work without fear or being treated less favourably because of their lawful academic opinions.

The Institute has a range of legislative and regulatory duties in relation to free speech. To address this requirement the Board of Governors has issued this Code of Practice.

The Board of Governors authorises the Director to act on its behalf to ensure that, as far as is reasonably practicable, all students and employees of The Institute and all visiting speakers comply with the provisions of this Code of Practice.

#### **2. Legislative and regulatory context**

The Institute has a range of legislative and regulatory duties in relation to free speech.

Under section 43 Education (No 2) Act 1986, The Institute is obliged to 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. This includes the duty to ensure, so far as is reasonably practicable, that the use of the premises of The Institute is not denied to



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any individual or body of persons on any ground connected with the belief or views of that individual or any member of that body or the policy or objectives of that body.

The Office for Students (OfS), through its Regulatory Framework requires The Institute to comply with a set of public interest governance principles that include references to freedom of speech and academic freedom. The Framework also regulates free speech and academic freedom by means of Conditions E1 and E2.

The Human Rights Act 1998 incorporated the European Convention on Human Rights (ECHR) in domestic legislation and includes the right to freedom of expression, which includes freedom of speech.

The Higher Education (Freedom of Speech) Act was introduced in 2023 to make provision in relation to freedom of speech and academic freedom in higher education institutions. However, the government plans to update this legislation and the OfS has yet to publish guidance regarding its new duties to investigate complaints over breaches of free speech from academics, external speakers and members of universities.

The Institute is also subject to several other duties that must be considered.

The protection of freedom of speech does not extend to speakers committing a criminal offence while speaking.

To comply with the 'Prevent' duty, The Institute must have due regard to the need to prevent people from being drawn into terrorism.

The Equality Act 2010 requires The Institute to have due regard to the need to eliminate discrimination, harassment, victimisation, and to advance equality of opportunity and foster good relations between people who share 'protected characteristics' (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation) and those who do not.

The Institute has other considerations, including legal responsibilities relating to preventing discrimination, harassment and victimisation, maintaining public order, and the health and safety of employees, students, and visitors.

### 3. Scope

This Code of Practice applies to all members, staff and students of The Institute and visiting speakers and all other persons invited to speak by The Institute or by its staff and students.

This Code of Practice applies to all meetings and events, including lectures, seminars, committee meetings, conferences, talks, debates, workshops, demonstrations and musical and theatrical performances, including those individuals who attend online, and also applies to those that are streamed or recorded.



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This Code of Practice applies to all events held under the auspices of The Institute, including those that take place in person and online, those which are Institute organised, affiliated, funded or branded, including events organised by individuals, groups or societies or online communities using The Institute's name or resources. This code of practice also applies to webinars, online discussion forums and social networking on accounts that are affiliated or branded using The Institute's name.

### 4. Ensuring freedom of speech in teaching and research settings

This section applies to activities taking place in teaching, education and research settings, as well as other academic activities that take place within The Institute, whether organised by staff or students. All such activities should have an identified organiser. In teaching and education settings, this would usually be the module leader.

When teaching potentially sensitive or controversial views, organising activities such as teaching or research seminars, or other academic activities within The Institute, the Organiser should consider what steps they can take to ensure that freedom of speech and academic freedom is protected. This includes creating an inclusive environment that ensures that all students or participants are given the opportunity to present and argue in favour of alternative viewpoints. It also includes teaching students how to engage appropriately with viewpoints with which they do not agree, for example by providing evidence and rational argument to support their views.

Organisers may also consider whether further steps might be necessary, including:

- Identifying any topics that may cause upset to particular students or participants, making it difficult for them to participate in the activities in question, and how this will be addressed if it does arise.
- Speaking to participants at the start of a module that contains potentially sensitive or contentious topics and outlining how challenging issues will be discussed in a way that allows all points of view to be expressed respectfully and discussed rigorously
- Providing summary information in advance to enable participants to prepare and to be able to articulate their point of view rigorously and respectfully during discussions if there is an expectation that potentially sensitive or contentious topics.
- Reminding all those in attendance of their obligations under this code of practice.

Should unforeseen situations arise during sessions where individuals are particularly distressed by any views expressed, it will be up to the academic member of staff responsible to determine the most appropriate response. Options could include taking a break to provide time to discuss the issue with the individuals concerned, or for reflection, or providing those who are distressed with time to articulate their point of view as appropriately as possible. It is not the expectation that an activity should be cancelled in these circumstances as to do so would deprive others at the session the opportunity to express their freedom of speech and to explore the issues being discussed.



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Where the behaviour of someone at an activity does not comply with this code this will become a matter to be addressed under The Institute's staff or student disciplinary procedures. The Organiser of an activity is responsible for the activity's compliance with this Code of Practice.

Where an activity is likely to fall under this Code, it is the responsibility of the Organiser to anticipate this in advance, as far as possible, and to discuss the activity with their Head of Department before proceeding. It should be noted that activities that form part of a programme leading to an award being delivered at The Institute should be identified well in advance and actions taken to mitigate any risk.

Heads of Department are responsible for ensuring that the Code of Practice is upheld within their department, including identifying activities that might require further consideration and ensuring that appropriate consideration is given. The Head of Department is empowered to make decisions on activities in their department in the context of this code, including any additional measures that should be put in place.

Heads of Department should seek advice from the Director should any particular risks raised by an event or activity require a fuller risk assessment and mitigations to be put in place. Under such circumstances it may be appropriate to follow the procedures detailed in The Institute's External Speakers Policy.

### 5. Ensuring freedom of speech at meetings and events

The responsibility to protect free speech covers all events organised by a member of staff or student of The Institute, including events organised by individuals or groups using The Institute's name, funding, branding or resources. It is particularly relevant to public meetings, arranged internally or externally, and held physically or virtually, but extends to all forms of freedom of speech.

The procedures that must be followed by the organisers of these events are set out in the External Speakers Policy. These included submitting a request to the Director before extending invitations to an event and the potential mitigations that may be required to protect lawful free speech.

The Institute will not unreasonably refuse consent to students or staff who wish to hold an event, meeting or other activity for the expression of any views or beliefs held and lawfully expressed. Any conditions imposed on the holding of the meeting shall be kept to the minimum considered necessary considering any risks identified in holding the meeting. Further details of how this will work in practice are set out in the External Speakers Policy.

### 7. Monitoring and review

The Institute will review this code periodically and, where necessary, update this document inline with published schedules.



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## Related Policies

[Academic Freedom Statement](#)

[External Speakers Policy](#)

[Safeguarding Policy \(including Prevent duty\)](#)

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| Responsibility for the Policy | Head of Quality Assurance |
| Initial Approval              | April 2019                |
| Last Reviewed                 | May 2025                  |
| Next Reviewed                 | May 2027                  |
| Approved by                   | Academic Council          |