

Status: This version of this part contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the Higher Education (Freedom of Speech) Act 2023, Paragraph 5. (See end of Document for details)

SCHEDULE

MINOR AND CONSEQUENTIAL AMENDMENTS

PART 1

HIGHER EDUCATION AND RESEARCH ACT 2017

PROSPECTIVE

- 5 (1) Section 67B (publication of decision to conduct or terminate investigation) is amended as follows.
- (2) In subsection (3), for “Section 67C does not apply” substitute “Neither section 67C nor paragraph 13 of Schedule 6A applies”.
- (3) After subsection (3) insert—
- “(3A) In the application of this section to publication of a decision under the scheme provided by virtue of Schedule 6A (free speech complaints scheme)
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- (a) references to an investigation (however expressed) are to a review of a free speech complaint under the scheme;
- (b) for the purposes of subsection (2)(a), the OfS terminates an investigation without making a finding if it—
- (i) does not make a decision as to whether a free speech complaint is justified because the complaint is withdrawn, or
- (ii) dismisses a free speech complaint without considering its merits;
- (c) for the purposes of subsection (2)(b), the findings of an investigation do not result in the OfS taking any further action only where—
- (i) the OfS decide that a complaint is wholly not justified, or
- (ii) the OfS decide that a complaint is justified (wholly or partly) but do not make any recommendations about the person about which the complaint is made.”

Commencement Information

II Sch. para. 5 not in force at Royal Assent, see [s. 13\(3\)](#)

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