



# Higher Education (Freedom of Speech) Act 2023

## 2023 CHAPTER 16

### *Functions of the Office for Students*

PROSPECTIVE

#### **5 General functions**

- (1) In section 2 of the Higher Education and Research Act 2017 (general duties of the Office for Students), in subsection (1), after paragraph (a) insert—
- “(aa) the need to promote the importance of freedom of speech within the law in the provision of higher education by English higher education providers,
  - (ab) the need to protect the academic freedom of academic staff at English higher education providers.”.
- (2) After section 69 of that Act insert—

*“Freedom of speech*

#### **69A General functions relating to freedom of speech and academic freedom**

- (1) The OfS must promote the importance of—
- (a) freedom of speech within the law, and
  - (b) academic freedom for academic staff of registered higher education providers and their constituent institutions,
- in the provision of higher education by registered higher education providers and their constituent institutions.
- (2) The OfS may—

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*Status: This version of this provision is prospective.*

*Changes to legislation: There are currently no known outstanding effects for the Higher Education (Freedom of Speech) Act 2023, Section 5. (See end of Document for details)*

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- (a) identify good practice relating to how to support freedom of speech and academic freedom, and
  - (b) give advice about such practice to registered higher education providers and their constituent institutions.
- (3) The Secretary of State may, by direction, require the OfS to report to the Secretary of State—
- (a) in its annual report under paragraph 13 of Schedule 1, or
  - (b) in a special report,
- on such matters relating to freedom of speech and academic freedom as may be specified in the direction.
- (4) Where the Secretary of State is provided with a special report, the Secretary of State must lay it before Parliament.
- (5) See paragraph 13 of Schedule 1 for the laying of the OfS’s annual reports.”

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**Commencement Information**

**II** S. 5 not in force at Royal Assent, see **s. 13(3)**

**Status:**

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**Changes to legislation:**

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