



Higher Education (Freedom of Speech) Act 2023

2023 CHAPTER 16

Functions of the Office for Students

6 Regulation of duties of registered higher education providers

After section 8 of the Higher Education and Research Act 2017 insert—

“8A Mandatory conditions relating to freedom of speech

- (1) The OfS must ensure that the initial registration conditions applicable to an institution and its ongoing registration conditions include a condition requiring that—
 - (a) the institution’s governing documents are consistent with compliance by the governing body of the institution with its duties under sections A1 to A3, and
 - (b) the institution has in place adequate and effective management and governance arrangements to secure compliance by the governing body of the institution with those duties.
- (2) The OfS must ensure that the ongoing registration conditions of each registered higher education provider include a condition requiring that the governing body of the provider complies with its duties under sections A1 to A3.
- (3) The OfS must ensure that the ongoing registration conditions of each registered higher education provider that is eligible for financial support include a condition requiring that the governing body of the provider keeps the OfS informed of the associations or bodies which are students’ unions for students at that provider.”