

# Freedom of Speech Complaints Scheme

## General

1. The University of Reading (“the University”) has a long and proud history of protecting and encouraging free speech and academic freedom within the law, in supporting colleagues to speak up on perceived controversial but important issues and welcoming external speakers with diverse political, social and philosophical positions.
2. The University prioritises the pursuit of knowledge and truth as key components of achieving excellence in education and research and recognises the importance of, and promotes plurality of viewpoints within its community, encouraging members to express themselves freely and hold their own opinions even if their views are unpopular or could offend others.
3. The University is committed to taking reasonably practicable steps to secure freedom of speech within the law for its students, staff, Council members, and actual or invited visiting speakers, and academic freedom for its academic staff.
4. The University recognises that from time to time problems do arise and that individuals may occasionally wish to express concern or dissatisfaction with the steps that the University has taken (or not taken) to secure freedom of speech or academic freedom. If any individual is dissatisfied and wishes to explore a formal means of resolving their issue, the University operates this procedure.
5. Freedom of speech is defined as the freedom within the law to impart ideas, opinions or information by means of speech, writing or images (including in electronic form).
6. Within the University, academic freedom is defined as the freedom within the law for employees undertaking academic activity or directly supporting it to question and test received wisdom and to put forward new ideas and controversial or unpopular opinions without placing themselves in jeopardy of losing their jobs or privileges.
7. The following individuals may make complaints under this scheme:
  - 7.1 Current students or members of staff of the University of Reading
  - 7.2 Individuals who were, in the last three months, a student, or member of staff of the University of Reading where the complaint concerns matters that occurred while they were a student, or member of staff of the University
  - 7.3 Individuals who have applied to become a member of academic staff at the University of Reading

- 7.4 A person who was, or was at any time invited to be, a visiting speaker at the University of Reading.
8. The University will be accountable and will apologise if mistakes have been made or the University has fallen short of reasonable expectations. Where necessary, action will be taken to ensure such mistakes do not happen again. Complaints will be monitored and where problems are identified, changes to practice will be made.
  9. Complaints will be handled sensitively and confidentially, where possible. More information about this is set out at Appendix A to this procedure.
  10. To ensure a fair process, individuals named in a complaint will be made aware of the allegations and in most cases who made the allegation against them to ensure that they have a proper opportunity to respond.
  11. This procedure is intended to be clear, transparent, and fair to all parties. All complaints which are made in good faith (which are not vexatious, frivolous or unmeritorious) will be taken seriously and investigated. Individuals who raise complaints in good faith will never be disadvantaged or treated less favourably, regardless of the outcome.
  12. The University will make appropriate adjustments to ensure that complainants with protected characteristics under the Equality Act 2010 are not treated less favourably. More information about this is set out at Appendix B of this procedure.
  13. If the University decides that a complaint is vexatious, frivolous or unmeritorious, it may terminate consideration of the complaint at any point. The University regards complaints to be vexatious, frivolous or unmeritorious where in its reasonable view:
    - 13.1 The complaint does not have any serious purpose or value;
    - 13.2 The complaint is designed to cause disruption or annoyance or gives rise to disproportionate inconvenience or expense, including where an individual makes persistent, repeated or serial complaints;
    - 13.3 The complaint has the effect of harassing any of the University's staff or students, or can be fairly characterised as being obsessive or unreasonable; and/or
    - 13.4 It is reasonable to assume that there is no intention for the complaint to be seen as serious or sensible but not to the extent that it can be considered vexatious or malicious.
  14. Anyone accessing this procedure and all staff involved in investigating and responding to a complaint should always act reasonably and fairly towards each other and in line with the requirements of this procedure.
  15. Where the behaviour of the complainant becomes unreasonable and adversely affects the ability of the University or its staff to carry out their duties, the University reserves the right to restrict contact with the complainant and, if appropriate, invoke its Disciplinary Procedures

for Staff or Students. Wherever possible, the University strives to allow the complaint to progress to completion. Examples of unacceptable behaviour might include:

- 15.1 Aggressive or abusive behaviour. This could include the threat or use of physical violence, verbal abuse, or harassment. This is likely to result in the ending of all direct contact with the complainant and could result in a report being submitted to the police.
  - 15.2 Unreasonable demands. This includes instances where a complainant: continues to demand responses being provided within an unreasonable timescale; insists on seeing or speaking to a particular member or individual; makes continual contact; contacts multiple members of staff not involved in dealing with the complaint; or repeatedly changes the substance of the complaint.
  - 15.3 Unreasonable persistence. This could include a persistent refusal to accept a decision made in relation to a complaint; persistent refusal to accept explanations relating to what can or cannot be done about the complaint and continuing to pursue a complaint without presenting any new information.
16. Overall responsibility for this procedure sits with the University Secretary.

## Group complaints

- 17. If a number of complainants wish to submit a group complaint, they will be required to nominate one member to act as a spokesperson and to lead any communication with the University under this procedure. The email must be sent by that nominated member and a document attached containing the names, details and signatures of the other members who wish to be parties to that complaint.
- 18. The University will not accept an individual complaint about any linked matter where the complainant is already a party to the group complaint.
- 19. In circumstances where the University receives multiple complaints from individuals affected by the same issue(s) and where there are common characteristics or similarities in the subject matter of the complaints, the University may, at its discretion, combine these complaints and deal with them as a group complaint.

## Timeline

- 20. The University will normally process complaints within 90 calendar days of the complaint being submitted through the process set out below. If this is not possible, the University will notify the complainant and a revised timescale will be provided.

## Complaints process

21. The complainant should email [FOScomplaints@reading.ac.uk](mailto:FOScomplaints@reading.ac.uk) in the first instance for further advice:
  - 22.1 The complaint should be sent with the subject line “**Freedom of Speech Complaint – [DATE OF SUBMISSION]**” and marked as Important.
22. The complaint must be submitted within 30 calendar days of the complainant becoming aware of the event or incident to which the complaint refers. Evidence of this must be submitted with the email. The University reserves the discretion to accept complaints submitted beyond this deadline in exceptional circumstances.
23. When submitting a complaint, the complainant should:
  - 24.1 Be specific about the complaint and describe it accurately and succinctly, including:
    - 24.1.1 the time and place that the alleged restriction on free speech or academic freedom occurred; and
    - 24.1.2 details of how they believe the speech or academic freedom was restricted;
  - 24.2 Provide supporting evidence and documentation where available and appropriate; and
  - 24.3 State the outcome the complainant is requesting, being clear and realistic.
24. The University has discretion to consider complaints received anonymously. The University encourages all complainants to raise a concern openly without fear of suffering any disadvantage as a complaint made anonymously could impede any investigation and communication of the outcome. The University will only exercise its discretion to accept anonymous complaints in exceptional circumstances. In exercising that discretion, the following factors will be considered:
  - 25.1 The seriousness of the complaint;
  - 25.2 The likelihood of confirming the allegation from attributable sources;
  - 25.3 Whether enough information has been provided to enable further action;
  - 25.4 Whether a fair investigation can be undertaken; and
  - 25.5 Whether anonymity can reasonably be maintained.

25. Upon submission of the complaint, the complaint will be assigned to the Student Appeals Complaints and Discipline Team who will normally confirm receipt of the complaint within 3 working days. For the avoidance of doubt the Student Appeals Complaints and Discipline Team will process all complaints received under this procedure, whether they relate to students, members of staff, or visiting speakers.
26. The Student Appeals Complaints and Discipline Team will then consider the complaint and determine whether it falls within the scope of this procedure:
  - 27.1 If the complaint falls within the scope of this procedure, they will identify and appoint a Senior Manager, who will be a Head of School or Head of Directorate or a Dean or an Associate Pro-Vice-Chancellor not directly connected with any person involved in the complaint.
  - 27.2 If the complaint falls entirely within the scope of another University process, the complainant will be informed and asked whether they want their complaint handed over to the correct team:
    - 27.2.1 If they confirm that they do, the Student Appeals Complaints and Discipline Team will facilitate this.
    - 27.2.2 If the complainant confirms that they do not, the complaint will be closed and not progressed. If the complainant wishes to subsequently resubmit their complaint under the correct process, the complainant will have to do this themselves.
  - 27.3 If the complaint is broad in nature and includes wider issues than alleged infringement of freedom of speech or academic freedom alone, and it reasonably falls into the scope of another University process, the complaint will normally be referred to the process more able to consider the broader issues as well as those relating to freedom of speech. If this decision is made, the complainant will be informed.
27. If the complaint falls within the scope of this procedure, the complaint and any supporting evidence/documentation will be considered by the appointed Senior Manager.
28. The Senior Manager may seek advice from any other relevant part of the University in relation to the complaint.
29. The Senior Manager may seek additional evidence/documentation from or arrange to interview the complainant or any other involved party. Individuals will be given at least 5 working days' notice in which to provide evidence or before any meeting to which they may be invited. An earlier meeting may be arranged with the agreement of all parties.
30. Following their investigation, the Senior Manager will make a decision about the complaint and report their findings to the Student Appeals Complaints and Discipline Team, alongside

any recommendation as to an appropriate remedy or redress if required. The Student Appeals Complaints and Discipline Team will then write to the complainant to inform them:

- 31.1 whether the complaint has been upheld, partially upheld, or not upheld;
- 31.2 the reasoning behind this decision;
- 31.3 the action that will be taken because of the decision; and
- 31.4 that the complainant can seek to appeal the decision if they are dissatisfied with the outcome.

## Appeals process

- 31. If the complainant considers that their complaint has not been resolved by the initial decision, they may ask to appeal the decision.
- 32. The request for an appeal must be made within 10 working days of the complainant receiving the initial decision. The University reserves the discretion to accept requests for appeal submitted beyond this deadline in exceptional circumstances.
- 33. The request must be made in writing to [FOScomplaints@reading.ac.uk](mailto:FOScomplaints@reading.ac.uk).
- 34. The grounds of appeal are:
  - 35.1 The relevant procedures were not followed during the initial investigation; and/or
  - 35.2 There is evidence of bias or apparent bias in the decision-making process; and/or
  - 35.3 The outcome of the initial investigation was unreasonable considering the evidence submitted; and/or
  - 35.4 New evidence has been provided which would have had a material impact on the initial decision which was unavailable at an earlier stage or which the complainant has given good reasons for not supplying earlier.
- 35. Upon receiving the request for appeal, the Head of Governance will consider the grounds for seeking an appeal and decide whether they meet the stated grounds set out at paragraph 35 above and whether the request for appeal has been received within the time limits set out at paragraph 33.
- 36. If the Head of Governance decides that the request for appeal has not been received within the required time limits or that the grounds for appeal submitted do not meet the grounds required under this procedure, then a member of the Student Complaints Team will write to

the complainant to advise that the request for appeal has been rejected, setting out the reasons for that decision and notifying the complainant that the original decision appealed against will stand.

37. There is no right of appeal against the decision made by the Head of Governance.
38. If the request for appeal is accepted, the appeal will be undertaken by the University Secretary, or a senior member of the University nominated by the University Secretary who has not already been involved in the investigation or the matter.
39. A review by the University Secretary or their nominee will be a review and not a re-investigation.
40. The University Secretary or their nominee will consider the decision regarding the complaint and evidence/documentation which formed part of the original investigation. New evidence/documentation which could have been submitted at the initial investigation will not normally be considered as part of the appeal unless it was unavailable at an earlier stage or there are good reasons for not supplying it earlier and this has formed part of the grounds of appeal.
41. The University Secretary or their nominee may seek advice from any other relevant part of the University in relation to the appeal.
42. Following the appeal, the University Secretary or their nominee will make a decision about the complaint and report their findings to the Student Appeals Complaints and Discipline Team. A member of the Student Appeals Complaints and Discipline Team will then write to the complainant to inform them:
  - 43.1 whether the complaint has been upheld, partially upheld, or not upheld;
  - 43.2 the reasoning behind this decision; and
  - 43.3 the action (if any) that will be taken because of the decision.
43. There is no right of appeal against the decision made by the University Secretary or their nominee.
44. Where the appeal is upheld, the University Secretary or their nominee will provide an outcome.
45. Students who remain dissatisfied with the outcome of this procedure following the issue of the Completion of Procedures letter may raise a complaint with the Office of the Independent Adjudicator ("OIA"). Any request for review must be received by the OIA within 12 months of the date of the Completion of Procedures letter.

# Version control

Version	Section	Keeper	Reviewed	Approving authority	Approval date	Start date	Next review
1.0	Corporate Services	Chief Legal Officer	Every 3 years	University Executive Board (UEB)	May 2025	1 August 2025	To be reviewed after 12 months for operational effectiveness (Summer 2026)



## Appendix A

### Is the complaints procedure confidential?

1. The University will process all personal information in accordance with its Data Protection Policy.
2. Any complaint raised under this procedure and any response should be treated with appropriate confidentiality by all parties at all stages of this procedure. This includes witnesses to the procedure as well as the individual raising the complaint, those the complaint is about and the individuals considering the complaint. However, it may be necessary to discuss a complaint with staff, students or other individuals to properly investigate that complaint or implement the outcomes of this procedure.
3. The University does not normally allow any part to record meetings or hearings unless there are exceptional reasons why this should be considered and all parties agree. If the University allows a meeting or hearing to be recorded then the University will be responsible for the recording and the preparation of any minutes. The University will provide a copy to all parties.
4. There should be no normal expectation that the identity of witnesses will be kept confidential and witnesses should understand that evidence provided by them will, other than in exceptional circumstances, be provided to the complainant and/or the individual to whom the complaint is about. Exceptionally, the investigator considering the complaint may keep a witness's identity confidential where it is reasonable and necessary to do so.
5. The University reserves the right to refer any breach of the confidentiality of this procedure by any member of staff, student, or member for consideration under its Disciplinary Procedures.

## Appendix B

### **What support is available to complainants when bringing a complaint?**

1. Where a complainant has protected characteristics under the Equality Act 2010, the University can make appropriate adjustments in order to prevent the complainant being treated less favourably. This may include holding meetings by Microsoft Teams, video conference, telephone conferencing, or other appropriate means. Any complainant who may require assistance in making their complaint should discuss their needs with the University and it will then seek to refer the complainant to appropriate support.
2. Any requests for support will be treated sensitively and confidentially by the University.