



CODE OF PRACTICE ON FREEDOM OF SPEECH

For meetings or other activities on Conservatoire premises and Conservatoire-branded events

Introduction

- 1 The Conservatoire for Dance and Drama (“CDD”) is committed to upholding academic freedom of enquiry in its training, education and research. This can only be achieved if all concerned behave with lawful tolerance and respect the CDD’s core values and anti-discriminatory practices.
- 2 Section 43 (amended) of the Education (No 2) Act 1986 places a duty on universities 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

and in particular a duty

to ensure, so far as is reasonably practicable, that the use of any premises of the [university] is not denied to any individual or body of persons on any ground connected with—

 - (a) the beliefs or views of that individual or of any member of that body; or
 - (b) the policy or objectives of that body.
- 3 The Act further requires that

The governing body of every such [university] shall, with a view to facilitating the discharge of the duty [set out] above in relation to that [university], issue and keep up to date a code of practice setting out —

 - (a) the procedures to be followed by members, students and employees of the establishment in connection with the organisation —
 - (i) of meetings which are to be held on premises of the establishment and which fall within any class of meeting specified in the code; and

(ii) of other activities which are to take place on those premises and which fall within any class of activity so specified; and

(b) the conduct required of such persons in connection with any such meeting or activity.

- 4 This policy applies only to the operations of the committees and the administration of the CDD, or to specifically Conservatoire-branded events. This Code of Practice is issued to enable the CDD to discharge its duties in relation to freedom of speech within the law. This includes having due regard to the need to prevent people from being drawn into terrorism under Section 26 of the Counter-Terrorism and Security Act 2015. The CDD also ensures that the Conservatoire schools have in place a relevant code of practice on Freedom of Speech in fulfilment of its duties relating to freedom of speech under the Education (No. 2) Act 1986 Section 43 (amended) with regard to the higher education activities of the school.
- 5 The Chief Operating Officer and Registrar or his delegate will have oversight of the operation of this Code and its review.
- 6 The Board of Governors of the CDD approved this Code of Practice at its meeting on 13 July 2016.

Scope and purpose

- 7 Within the scope of the activities that is set out in paragraph 4, this Code of Practice applies to all staff of the CDD or the Conservatoire schools and students registered with the Conservatoire, including visiting professionals, and to any other person in attendance at any meeting or other function which has been duly authorised to take place under this code of practice.
- 8 The procedures described below and attached in Appendix 1 exist to:
 - (a) specify arrangements for the management of meetings and other functions on Conservatoire premises which are not an integral part of the normal artistic, academic and/or administrative business of the Conservatoire;
 - (b) identify reasonably practicable steps that must be taken to ensure that freedom of speech within the law is secured for members of the Conservatoire and for visiting speakers.
 - (c) specify arrangements for Conservatoire-branded events involving external speakers and taking place outside the premises of the Conservatoire, which shall include Conservatoire-branded events taking place on the premises of Conservatoire schools.
- 9 The Conservatoire does not intend to deny use of its premises to any person or group seeking to host an event within the scope of the law on any ground connected with

the belief or views of that person or member of that body.

- 10 At the discretion of the Director of Finance and where this is otherwise allowable, permission may be given for the Conservatoire's accommodation to be hired by #outside persons or organisations, including permission for meetings or events to be attended by members of the public. Where such permission is granted, the outside person or body must provide the information outlined in Appendix 1 and, if required, complete an appropriate risk assessment prior to any booking being confirmed. The outside person or body must also meet any additional costs associated with managing any risks to the Conservatoire represented by the booking.
- 11 Members of the Conservatoire and other persons attending meetings or events on the premises must behave in a lawful manner.
- 12 In the case of meetings or functions that come within the provisions of this Code of Practice (see paragraph 8) and are organised by members of staff or students of the Conservatoire, the names of visiting speakers must be approved by the Conservatoire prior to invitation.

Arrangements and procedures

- 13 **Staff.** When a member of staff of the Conservatoire, or a member of staff of a Conservatoire school wishes to hold a meeting or function which falls within the scope of paragraph 4, a written request must be made to the Academic Registrar. Requests should be made as far as possible in advance of the projected meeting date, and not less than three weeks in advance. Requests should provide the information outlined in Appendix 1.
- 14 **Students:** When a registered student of the Conservatoire wishes to host an event that falls within the scope of paragraph 4, a written request should be made to Academic Registrar. Requests should be made as far as possible in advance of the projected meeting date, and not less than three weeks in advance. Requests should provide the information outlined in Appendix 1.
- 15 A risk assessment of the event should accompany the request, using the guidance in Appendix 2 and will be reviewed by the relevant senior member of staff receiving the request. The staff member or student making the request should indicate whether an event is likely to give rise to difficulties in relation to freedom of speech, or to the safety of the speaker or others within the audience. This will inform any judgment concerning whether permission to host an event is given.
- 16 The relevant senior member of staff will review the proposed request and risk assessment and reach a judgment. They may seek further information in relation to the request, including consulting other members of the senior management team and, where appropriate, referring to the Chief Operating Officer and Registrar. In the light of the risk assessment the designated senior manager may determine to postpone or cancel an external event, or to set any other reasonable conditions (including but not

limited to security arrangements necessary, restrictions on external attendance, and the time the event must end) on any event which is permitted to take place.

- 17 Prior to receiving approval, events may not be advertised without the express permission, in writing, of the Chief Operating Officer and Registrar or her/his nominee.
- 18 Any decision about whether the event may take place will be communicated to the organiser usually within a fortnight of receiving the request.
- 19 Where a member of staff of the Conservatoire or a Conservatoire school or a student registered with the Conservatoire has made a request to book accommodation or host an event and is aggrieved by the decision taken, they may make an appeal to the Chief Operating Officer and Registrar. Such an appeal will be heard by the Chief Operating Officer and Registrar or his nominee as soon as is reasonably practicable. The Chief Operating Officer and Registrar's ruling shall be final. External organisations have no right of appeal.
- 20 In considering appeals, the Chief Operating Officer and Registrar may seek the advice of a freedom of speech panel which will normally comprise:

Another member of the Senior Management Team not involved in the operational assessment of this policy or a Principal of a Conservatoire school

Two additional members of staff of a Conservatoire School, normally to be members of the CDD Academic Board

The Student Governor

and may conduct its business through a face-to-face meeting; through teleconference or video-conference; or by correspondence.

- 21 Members of the freedom of speech panel for each case should not include individuals who have been involved in determining whether or not an event may proceed before it reaches the appeal stage.

General Conditions

- 22 Infringements of or departures from this Code of Practice by members of the Conservatoire may render those responsible subject to disciplinary proceedings under the relevant regulations and policies of their Conservatoire school. Additionally, if any such actions involve breaches of the law, the Conservatoire will be ready to assist the prosecuting authorities to implement the processes of law.
- 23 Any sharing of information with third parties relating to external speakers, speaker requests or the use of premises by groups and speakers, must be authorised by the Chief Operating Officer and Registrar.

- 24 Nothing in this Code of Practice shall detract from the responsibility and duty of a chair or organiser to ensure as far as reasonably practicable that the provisions of Section 43 of the Education (No 2) Act 1986 are complied with.

- 25 Nothing in this Code of Practice shall prevent a senior officer of the CDD from taking such steps as may be necessary at any time to ensure the safety of staff of the CDD or other persons, or to safeguard the premises and property of the CDD or one of the Conservatoire schools.

[Approved CDD Board of Governors July 2016]

Appendix 1: External Speaker Request Form

Where an external speaker or function outside of the normal artistic, academic and administrative business of the Conservatoire, takes place on Conservatoire premises or on external premises in the Conservatoire's name, the information below must be provided to the relevant designated officer at least **three weeks in advance**.

Designated officers:

Staff Events:	Academic Registrar
Student Events:	Academic Registrar
External Hires:	Director of Finance

Information required:

- i. Date, time and exact place of the meeting or function, including precise timing on expected arrival and departure of speakers.
- ii. Name of any speaker(s) or likely alternative speaker(s).
- iii. Subject/nature of the meeting.
- iv. Draft copy of any proposed notice, leaflet or other advertising material.
- v. Name, address, email address and telephone number of the person organising the meeting or function and their status within the organising group
- vi. Whether the audience will include persons who are neither members of staff of the CDD nor members of staff or students of a Conservatoire school, and whether the event is open to the general public.
- vii. Details of any circumstances that give rise to concern about possible disturbance which could be caused at the meeting or have an impact on the speaker's ability to enter or leave the premises.
- viii. Arrangements for chairing the meeting or function.
- ix. Whether the speaker has been refused permission to speak at the CDD in the past.
- x. Whether the speaker is known to be controversial in relation to reputation, political views or religious views (this is not an exhaustive list).
- xi. Whether the speaker is likely to attract high media attention.
- xii. Outcome of the risk assessment (see Appendix 2).

Appendix 2: Risk assessment for external speakers

How to calculate your risk assessment¹

Risk Level	Rating Description
Low 1	The speaker or guest is a known expert in their field and is not known to be controversial, or to hold controversial views. His/her presence on CDD premises or at a CDD-branded event is not likely to be regarded as provocative in any way. The topic of the talk is not controversial nor is it likely to be regarded as offensive by anyone. Access to the event is limited to CDD staff, and Conservatoire school students and staff only.
Acceptable 2	The speaker or guest may hold a strong position on their topic but this would not be regarded as controversial. The speaker / guest may not have a publicly established reputation in their field. The talk is not likely to be regarded as controversial. It is very unlikely to attract adverse media attention or require staff or security presence. Attendance may be high but the event is open to CDD staff, and Conservatoire school students and staff only.
Moderate 3-4	The speaker and/or topic may be uncontroversial but the event is open to persons other than CDD staff and/or Conservatoire school students and staff, including the general public and high numbers are likely to attend. The topic may be regarded by some as controversial and this could be a cause for concern even if attendance is likely to be low. There may be a need for some security presence. The event is being held at an external venue
Substantial 6	The speaker /guest and/or topic are controversial. There may be adverse media attention and a member of staff should attend or security arrangements be made. The speaker has been refused permission to speak at another institution before. Attendance at the event will be high and is open to persons other than CDD staff and/or Conservatoire school students and staff. The event is being held at an external venue.
Extreme 9	The speaker/guest and or topic are highly controversial and will definitely attract adverse media attention. The speaker/guest has been refused permission to attend an event at the CDD, a Conservatoire school and/or other institutions before. High attendance is expected at the event. The speaker/guest and or topic may attract protest from other students or outside organisations. Persons other than CDD staff and/or Conservatoire school students and staff are invited to attend. Security presence would be essential. <i>The event should not take place unless strict controls are put in place to protect individuals and property.</i>

¹ With thanks to City University Students' Union from whose Policy on External Speakers this risk assessment process is drawn.

		SEVERITY			
		Low risk 1	Medium risk 2	High risk 3	
LIKELIHOOD	Unlikely 1	Low 1	Acceptable 2	Moderate 3	
	Likely 2	Acceptable 2	Moderate 4	Substantial 6	
	Highly likely 3	Moderate 3	Substantial 6	Extreme 9	

Calculating risk: multiply the *severity* of the risk if something occurs by the *likelihood* that it will happen using a 1-3 scale for likelihood x 1-3 scale for severity.