



**RAMBERT SCHOOL**  
**CODE OF PRACTICE ON FREEDOM OF SPEECH**

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**Date Approved:** September 2022  
**Effective from:** September 2022  
**Approving Body:** Rambert School Board of Trustees  
**Next Review Date:** by September 2025  
**Applicable Office for Students Conditions of Registration:** E1; E2; E3 B1; B2; C2.

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**For meetings, events, functions and other activities (“Events”) taking, or to take, place on Rambert School premises (“Premises”) or to take place elsewhere in Rambert School’s name (together called “Relevant Events”), including applications to be made pursuant to this Code and information and risk assessments to be provided with them.**

## **Introduction**

- 1 Rambert School of Ballet and Contemporary Dance (“**Rambert School**” and “**School**”) is committed to upholding academic freedom of enquiry (as detailed in the second part of paragraph 2 below and as noted in paragraph 7 below) in its training, education and research and requires all concerned in, or in connection with, Relevant Events to behave in a lawful manner.
- 2 Section 43 (amended) of the Education Act (No 2) 1986 places a duty on universities (and other higher education providers) 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 Code of Practice is issued to fulfil and facilitate the School’s obligations and duties as set out in paragraph 3 of this document. 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.
5. The Principal will oversee the operation of this Code and its periodic update referred to in paragraph 3 above, including applications made pursuant to it and information and risk assessments provided with them.

### **Scope and purpose**

6. This Code of Practice specifies steps that must be taken to ensure that freedom of speech within the law is so far as practicable secured for all Rambert School full-time and part-time staff, including guest teachers, and students (“**Member of the School**”), and for external speakers pre-authorised in accordance with this Code.

### **Ensuring academic freedom**

7. No individual to whom this Code applies shall take any action (other than by reasonable dialogue with the School and peaceful persuasion) to prevent the occurrence of any academic activity (performance, rehearsal, class, tutorial, lecture, exhibition or other academic activity) because of the views held or expressed, or which may reasonably be likely to be expressed by a member of the School, whether staff or student. Concerns can be raised in the first instance with the individual’s line manager (for members of staff) or with a member of the Senior Management Team (for students).

8. No individual to whom this Code applies shall take any action (other than by reasonable dialogue with the School Principal and peaceful persuasion) to prevent any student or group of students from attending any academic activity required by, or properly associated with, the course of higher education for which they are registered because of the views or beliefs held or lawfully expressed by that student or group of students (whether on School premises or outside of them), or because there is a reasonable belief that such views will likely be expressed. Where unlawful behaviour is identified on the part of one or more students, the School Principal, Academic Registrar & Head of Compliance, or Head of Admissions, Registry & Student Support, should be contacted in the first instance.
9. The School does not intend to deny use of its Premises to any outside person or organisation who or which is not a Member of the School ("**Third Party**"), or any Member of the School, seeking to host a Relevant Event within the scope of the law, by reason of the beliefs or views of that Third Party or Member of the School.

***Sharing information about external speakers***

10. The School may share information about external speakers with other higher education institutions and/or other third parties, where legal and appropriate. The School will determine its lawful basis in accordance with Article 6 of the General Data Protection Regulations (2018) before sharing such information, and may seek legal advice if necessary.
11. Where information indicates a risk that may fall within the scope of the Prevent legislation, the procedures for processing information set out in the [Rambert School Prevent Policy](#) will be followed.
12. This Code of Practice applies to:
  - (A) All Members of the School, and to any Third Party, and to any contractor and other person in attendance at, or otherwise connected with, any Relevant Event, and to
  - (B) the planning and management of any Relevant Event by
    - (i) any Member of the School, in the case of any Relevant Event to be held elsewhere than on the Premises whether or not that Relevant Event forms an integral part of the normal artistic, academic, educational and/or administrative business of the School ("**Normal School Business**"), and in the case of any Relevant Event to be held on the Premises, where it does not form part of the Normal School Business; and
    - (ii) any Third Party wherever that Relevant Event is to be held and whether or not it forms an integral part of the Normal School Business.

## **APPLICATIONS TO HOLD A RELEVANT EVENT**

### **Applications by Members of Rambert School**

13. (i) Any application by any Member of the School to hold any Relevant Event referred to in paragraph 9 (B) (i) above, shall be made in accordance with the School's normal booking procedures for such Events.

### **Applications by Third Parties**

- (ii) Any application by any Third Party to hold any Relevant Event referred to in paragraph 9 (B) (ii) above, shall be subject to the terms and conditions set out in the School's Standard Hire Agreement Form and its terms and conditions of hire and to the applicable provisions of this Code of Practice ("Hire Agreement").
14. Applications to be made under paragraph 9 must be made in writing to the appropriate Designated Officer and provide the information specified in Appendix 1 to this Code, together with a risk assessment of the Relevant Event based on the guidance set out in Appendix 2. The applicant must state whether the proposed Relevant Event is likely to give rise to considerations relating to freedom of speech and the need to prevent people from being drawn into terrorism (together "**Freedom of Speech**"), or to the safety of the speaker or others within the audience, and, if so, the reasons for that. This will inform any judgment concerning whether or not permission is given.
15. The Designated Officer will review the proposed application, including its related risk assessment, and notify the applicant of any further information that he/she requires. After consideration of such information they will then decide whether to grant the request and, if so, on what conditions, if any, including but not limited to security arrangements, restrictions on external attendance, and the time the Relevant Event must end, or to refuse it. To assist with decision-making, the Designated Officer may (if they choose) complete their own Risk Assessment in consultation with a member of the School Senior Management Team, but this is not obligatory.
16. Any refusal by the Designated Officer that is made on, or including, grounds of Freedom of Speech must so state.
17. The Designated Officer's decision as to whether or not a Relevant Event may take place will be communicated to the applicant in writing in accordance with the timetable set out in the School's applicable procedures. Prior to receiving such permission no Relevant Event may be advertised or publicised in any way by the applicant, or by any other individual, without specific written permission so to do from the Designated Officer.

## **RIGHTS OF APPEAL FOLLOWING A REFUSAL OF AN APPLICATION**

### **Members of Rambert School**

18. Where the Designated Officer's decision to refuse any application made by a Member of the School is stated to have been made on grounds of Freedom of Speech and the Member of the School who made such application is aggrieved by those grounds he or she may make an appeal to the Principal in writing, setting out his or her reasons for making the appeal and the arguments against the grounds on which the decision was stated to have been made. Such an appeal will be considered by the Principal as soon as is reasonably practicable.

### **Third Parties**

19. Third Party applicants shall have no right to appeal against any refusal of any application.

### **Rambert School Freedom of Speech Panel**

20. In considering any appeal against any refusal stated to have been based on grounds of Freedom of Speech the Principal may decide to discuss the matter with an ad hoc School Freedom of Speech panel, which will normally comprise:
  - another member of the Senior Management Team, being, where practicable, one who has not been involved in the operation of this policy;
  - at least one, and normally two members of teaching staff, to be members of the Academic Board;
  - a student member drawn from the School's then current student representatives;
  - and may conduct its business by face-to-face meeting, teleconference or video-conference or correspondence (including by email).

A Freedom of Speech Panel must not include any individual who was involved in the decision to refuse the application to hold the particular Relevant Event in question, although if necessary, the Panel may seek clarifications from such individuals in the interests of understanding the initial refusal.

The Principal's ruling shall be final. Students will be informed of their right to request a Completion of Procedures Letter in the event that they are dissatisfied with the final outcome.

## GENERAL CONDITIONS

21. If any applicant who is a Member of the School infringes or departs from this Code of Practice, including providing false or fraudulent information to the School regarding any proposed or actual/agreed Relevant Event, he or she will be subject to disciplinary proceedings in accordance with School regulations and policies (eg the Non-Academic Misconduct Policy for students, or HR disciplinary procedures for staff).
22. If a Third Party applicant provides false or fraudulent information the School regarding any proposed or actual/agreed Relevant Event, this will void any previous agreement (whether verbal or in writing) regarding the holding of the Relevant Event.
23. If any applicant, whether a Member of the School or a Third Party, infringes or departs from this Code of Practice in such a way as to break the law, the School will be ready to assist the prosecuting authorities to implement the processes of law. Where the applicant is a Member of the School, disciplinary procedures may also be instigated.
24. For procedures on sharing information internally and externally about vulnerable individuals (at risk of radicalisation), please see the [Rambert School Prevent Policy](#) (Section 'Implementation of the Prevent Strategy').
25. Information relating to any Relevant Event or proposed Relevant Event, including as to any speaker or proposed speaker, must not be disclosed by any Member of the School to any person who is not a Member of the School without the prior written authorisation of the Principal, or until and unless the Relevant Event has been formally agreed as proceeding. Queries regarding this may be addressed directly to the Principal.
26. Nothing in this Code of Practice shall detract from the responsibility and duty of any Member of the School or Third Party to ensure so far as reasonably practicable that the provisions of Section 43 of the Education (No 2) Act 1986 are complied with.
27. Nothing in this Code of Practice shall restrict or prevent any appropriate Member of the School from taking such steps as he or she may deem necessary at any time to ensure the safety of any Member of the School or other person, or to safeguard the reputation, premises and property of the School.

## **Appendix 1: Information (to include Risk Assessment) required as part of any application by any Member of the School or Third Party for permission to hold a Relevant Event**

The information below relating to any proposed Relevant Event must be provided to the Principal in accordance with the timetable required by the Hire Agreement, together with a completed Risk Assessment (see Appendix 2).

### **Designated officers:**

<b>Staff Events:</b>	Deputy Principal
<b>Student Events:</b>	Head of Studies
<b>Third Party Hires:</b>	Head of Administration

*Additional advice and support can be sought by Designated Officers from the Academic Registrar & Head of Compliance.*

### **Information required:**

- i. Date, time and exact place of the Relevant Event, including precise timing on expected times of arrival and departure of speakers.
- ii. Name of any speaker(s) or likely alternative speaker(s).
- iii. Subject/nature of the Relevant Event.
- iv. Draft copy of any proposed notice, leaflet or other advertising material.
- v. Name, address, email address and telephone number of the Member of the School or Third Party organising the meeting or function and their status within the organising group
- vi. Whether the audience may include persons who are not Members of the 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 location of the Relevant Event.
- viii. Arrangements for chairing the Relevant Event and identity of the proposed Chairs.
- ix. Whether the speaker has ever been refused permission to speak at Rambert School, or, so far as the applicant is aware having made all reasonable enquiries, any other institution.
- x. Whether the speaker is known to be controversial, for example in relation to reputation, political views or religious views.
- xi. Whether the speaker is likely to attract high media attention.
- xii. Outcome of the risk assessment (see Appendix 2).

## Appendix 2: Risk assessment

### How to calculate your risk assessment<sup>1</sup>

Risk Level	Rating Description
<b>Low</b>  <b>1</b>	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 the Premises 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 Members of the School only.
<b>Acceptable</b>  <b>2</b>	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 Members of the School only.
<b>Moderate</b>  <b>3-4</b>	The speaker and/or topic may be uncontroversial but the event is open to people who are not Members of the School, 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 of which full details have been provided in the application
<b>Substantial</b>  <b>6</b>	The speaker /guest and/or topic are controversial. There may be adverse media attention and a senior member of staff should attend or security arrangements be made. The speaker has been refused permission to speak at the Rambert School or another institution before. Attendance at the event will be high and is open to persons who are not Members of the School. The event is being held at an external venue of which full details have been provided in the application.
<b>Extreme</b>  <b>9</b>	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 Rambert 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 who are not Members of the School are invited to attend. Security presence would be essential.  <i><b>The event should not take place unless strict controls are put in place to protect individuals and property.</b></i>

		SEVERITY						
LIKELIHOOD			Low risk	1	Medium risk	2	High risk	3
	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 level: 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.