

## **CODE OF PRACTICE ON FREEDOM OF SPEECH**

### **For meetings or other activities on LAMDA premises and LAMDA-branded events**

#### **Introduction**

- 1 LAMDA is a liberal institution. It believes in free speech and promotes a sense of responsibility for one's actions in its students. In pursuit of excellence, we work with plays and texts that express the widest possible range of views and beliefs. Our students must therefore be willing to work on productions of any of these texts, or play any character these texts may contain, including roles of any gender, race, faith or sexual orientation. Acceptance of a place at LAMDA will be deemed acceptance of our training requirements.
- 2 LAMDA is committed to upholding academic freedom of speech and enquiry in its training, education and research. This can only be achieved if all concerned behave with lawful tolerance and respect the Academy's core values and anti-discriminatory practices.

#### **The Law**

- 3 Section 43 (1) of the Education (No.2) Act 1986 ('the Act') imposes a duty on every individual and body of persons ('the Responsible Person') concerned in the government of LAMDA to take all reasonably practicable steps to ensure that freedom of speech within the law is secured for staff and students of LAMDA and for visiting speakers, lecturers and other professionals.

The Act imposes a particular duty on those persons to ensure so far as is reasonably practicable that the use of LAMDA premises shall not be denied to any individual or body of persons on any ground connected with their beliefs or views or their policies or objectives.

The Act imposes a further duty on the Board of LAMDA to establish, issue and keep up to date a code of practice ('the Code') setting out:

- procedures to be followed by members, students and employees of LAMDA with regard to the organisation of meetings held on premises of LAMDA and specified as being within the Code;
  - any other activities which shall take place on premises of LAMDA and specified to be within the Code. The Code shall also specify the conduct required of members, students and employees of LAMDA in connection with any meeting or activity mentioned above.
- 4 This Code of Practice is in place to enable LAMDA, as Higher Education Provider, to discharge its duties in relation to freedom of speech within the law, including 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 Act imposes a specific duty on the Responsible Persons to secure that the Code shall be complied with. The Principal or his/her nominee(s) will be responsible for this Code of Practice and its review and will contribute to LAMDA's review process.
  - 6 The Board of LAMDA approved this Code of Practice at its meeting on 7 July 2016, having due regard to factors such as public safety, the safety of staff, students and visitors to LAMDA and the costs and practicalities of providing facilities to ensure their reasonable safety and protection.

## Scope and purpose

- 7 The Code of Practice applies to all LAMDA staff, students, visiting professionals and to any other person in attendance at any meeting or other function which has been authorised to take place on Academy premises.
- 8 The procedures described below and attached in Appendix 1 exist to:
  - (a) specify arrangements for the management of meetings and other functions on Academy premises which are not an integral part of the normal artistic, academic and/or administrative business of the Academy;
  - (b) identify reasonably practicable steps that must be taken to ensure that freedom of speech within the law is secured for members of the Academy and for visiting speakers.
  - (c) specify arrangements for LAMDA-branded events involving external speakers and taking place off-site.
- 9 Staff and students may book accommodation for meetings, classes and events that form an integral part of the Academy's normal artistic, academic and administrative business, subject to availability in accordance with LAMDA's usual procedures.
- 10 At the discretion of the Executive Director, permission may be given for LAMDA'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 Academy represented by the booking.
- 11 Members of the Academy 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, the names of visiting speakers must be approved by the Academy prior to invitation.

## Arrangements and procedures

- 13 **Staff.** When a member of LAMDA staff wishes to hold a meeting or function that is not directly related to the Academy's normal artistic, academic or administrative business on LAMDA premises, or is to be hosted in LAMDA's name off-site, a written request must be made to the Executive Director. Requests should be made as far as possible in advance of the projected meeting date, and not less than two weeks in advance. Requests should provide the information outlined in Appendix 1.
- 14 **Students:** When a LAMDA student (and this is restricted to students on full-time HE courses lasting at least two terms) wishes to host an event that is not directly related to the Academy's normal artistic, academic or administrative business, a written request should be made to either the Head of Technical Training or the Head of Drama School, as appropriate. Requests should be made as far as possible in advance of the projected meeting date, and not less than two 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. 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 must not be advertised without the express permission, in writing, of the Executive Director or their nominee.
- 18 Any decision about whether the event may take place will be communicated to the organiser, usually within a week of receiving the request.

### **Appeals against decisions to refuse permission**

- 19 Where a staff or student member or body 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 Director. Such an appeal will be heard by the Director or their nominee as soon as is reasonably practicable. The Director's ruling shall be final. External organisations have no right of appeal.
- 20 In considering appeals, the Director 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 Code of Practice
  - Two members of teaching staff, normally to be members of Academic Board
  - A student member drawn from the HE courses student representatives.

and may conduct its business through a face-to-face meeting, a tele-conference, videoconference 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 Academy will render those responsible subject to disciplinary proceedings in accordance with Academy regulations and policies. Additionally, if any such actions involve breaches of the law, the Academy 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 Academy Director.
- 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 Academy from taking such steps as may be necessary at any time to ensure the safety of members of the Academy or other persons, or to safeguard the premises and property of the Academy.

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July 2016

*Updated Jan 2020 to reflect changes in senior staff roles*

## Appendix 1: External Speaker/Event Request Form

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

Designated officers:

Staff Events:	Executive Director
Student Events:	Head of Drama School/Head of Technical Training
External Hires:	Executive Director

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 member of Academy 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 Academy 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 Academy 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 and events

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

Risk Level	Rating Description
<b>Low</b> 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 Academy 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 Academy students and staff only.
<b>Acceptable</b> 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 Academy students and staff only.
<b>Moderate</b> 3-4	The speaker and/or topic may be uncontroversial but the event is open to non-Academy 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
<b>Substantial</b> 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 non-Academy students and staff. The event is being held at an external venue.
<b>Extreme</b> 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 Academy 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. Non-Academy 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>

		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.

<sup>1</sup> With thanks to City University Students' Union from whose Code of Practice on External Speakers this risk assessment process is drawn.