



CODE OF PRACTICE  
FREEDOM OF SPEECH AND ACADEMIC FREEDOM

## Summary

1. The Royal College of Music supports the principle of freedom of speech and expression within the law. This is one of the fundamental principles upon which a university or college is founded. It has regard to the need to ensure that students and staff have freedom to question, test and to put forward new ideas and controversial opinions without placing themselves at risk.
2. The College is bound by a statutory duty to ensure and to promote freedom of speech. Freedom of thought, freedom of expression and freedom of assembly and association are protected by law. The College operates with a presumption in favour of freedom of speech. The RCM Royal Charter specifically confers academic freedom.
3. Free speech includes written materials, both physical and digital, and other forms of expression, including social media posts, images, symbols and works of art; it is not limited to the spoken word.
4. Unlawful speech is not protected, and speech is permitted unless restricted by law.
5. All events, public and private, held on premises controlled by the College are subject to this Code. Any refusal or cancellation of an event would be exceptional and undesirable. The College reserves the right to refuse use of the premises for any event that is believed to compromise freedom of speech.
6. The Office for Students (OfS) operates a free speech complaints scheme. Under that scheme, the OfS can review complaints about free speech from members, students, staff, applicants for academic posts and (actual or invited) visiting speakers. Information about the complaints that the OfS can review is available on its website.

## Values

7. The core mission of universities and colleges is the pursuit of knowledge. Free speech and academic freedom are fundamental to this purpose. Without free speech there can be no new ideas, productive debate or challenge to conventional wisdom. Even where conventional wisdom reflects an established truth, it must be open to criticism and discussion.
8. It is not the role of the College to shelter individuals from ideas and opinions they find unwelcome, disagreeable or offensive. Members of the College may not obstruct the expression of ideas with which they disagree but they may openly and vigorously contest such ideas within the context of free and open debate. As a community, we would expect such ideas to be advanced and contested respectfully.
9. Freedom of speech is limited within the law, including limitations on speech that threatens public safety, discriminates, incites hatred or terrorism, defames individuals or substantially invades privacy. Free speech cannot include the use of threatening or abusive language that is likely to lead to harassment, alarm or distress to another in hearing, or to cause a breach of the peace. The College has obligations under the law including to prevent harassment of and discrimination against individuals.

## Purpose and scope

10. This Code is applicable to:
  - all staff of the College, and individuals and companies undertaking duties on its behalf, including members of the Council;
  - all students of the College;
  - all live and recorded activities, including events, meetings and all education and research activities, that are held, endorsed, organised, funded or branded by the College, or by individuals, groups or societies using

the name of the College, or that use College managed spaces or digital platforms, whether or not they involve an external speaker (referred to as 'events');

- visitors speaking at, taking part in and attending events in College managed spaces or digital platforms.
11. The College will not deny access to its campuses or premises to any student, member of staff, visitor, or any individual or group/body invited to the premises of the College by a student or member of staff, on any grounds relating to an individual's ideas, views, beliefs or either a group/body's policies, objectives or its members' ideas, beliefs or views, except where it is legally entitled or required to do so (such as the "Prevent" duty).
  12. Individuals must not engage in any conduct that prevents staff, students or visitors from gaining access to any meeting, lecture, seminar, debate, class, tutorial or public event; or that has the effect of preventing others being able to question or criticise the views offered by the speaker or by other participants at the event.
  13. Any contravention of or departure from the provisions of this Code may render the individual(s) responsible liable to the appropriate sanctions or disciplinary procedures of the College. Where breaches of the criminal law occur, the College shall, where appropriate, assist the Police and the Crown Prosecution Service.

## Academic Freedom

14. Academic freedom at the College comprises the freedom to:
  - propose and teach courses in which the content, the materials to be used and teaching methods may include materials and viewpoints that may be controversial or unpopular.
  - carry out and facilitate research;
  - question and test all previous opinion, received wisdom, research results and interpretations of knowledge in the broadest sense;
  - disseminate knowledge, and the debates entailed in that knowledge, through teaching, the awarding of degrees, academic lectures and seminars, consultancy, contributions to policy-formation and public events.
15. Academic freedom entitles students to question and disagree with perspectives put forward by a teacher both in classroom discussion and in written and other forms of assessment. The assessment of a student's participation in class or of the student's other work, on any grounds other than those provided in the programme's stated assessment criteria, violates academic freedom.
16. Academic appointments and promotions will be based on the quality of an applicant's or staff member's research, teaching and citizenship contribution. Denial of appointment or promotion on any grounds other than those provided in the relevant College criteria or guidelines violates academic freedom.

## Events

17. An event is defined as any gathering, public or private, on College premises. The event may be organised by the College or by an external individual or organisation using College premises. It also includes any performances or similar public and private activities organised by the College at external venues, Any broadcasts from the College or on the College's behalf, either online or on air, are also covered by this definition.
18. Any refusal or cancellation of an event would be exceptional and undesirable. Where any person or body subject to the obligations of this Code wishes to hold any event for the expression of any views or beliefs held or lawfully expressed on premises controlled by the College, consent will not be unreasonably refused. Expression of opinions which could be considered annoying, offensive, in bad taste, or ill-mannered are not automatically unlawful and should not be the sole ground for refusal unless this would result in the College failing in its wider legal duties (for example, to promote equality of opportunity and good relations between persons of different racial groups).

19. All events must be inclusive and not exclude any individuals on the basis of the protected characteristics. These are age, sex, gender reassignment, marital status, pregnancy or maternity leave, disability, race, religion or belief, or sexual orientation. In determining whether an event that is aimed at individuals with protected characteristics may go ahead, the College will follow the guidance from the Equality and Human Rights Commission.
20. The Director has ultimate responsibility for the safety of students, staff, visitors and other stakeholders, as well as the reputational concerns of the institution, and reserves the right to refuse any event using College facilities at any time, including after the commencement of event.
21. The Office for Students (OfS) operates a free speech complaints scheme. Under that scheme, the OfS can review complaints about free speech from members, students, staff, applicants for academic posts and (actual or invited) visiting speakers. Information about the complaints that the OfS can review is available on its website.

## Planning an event

22. Events include internal and external events organised by the College; by individual staff, students, the Students' Union, societies of the SU; and events on College premises organised by external individuals or organisations who are hiring spaces in premises controlled by the College. The Estates team will administer a process to assess whether individual events fall within the scope of this policy, liaising with the Development Events team and Directorate, as appropriate. Where a decision is made to refuse an event, existing RCM complaints processes for students, staff and visitors can be used to challenge the decision.
23. Any person or body wishing to hold an event on premises controlled by the College must complete the relevant room booking form and provide further details of the event if required. This requirement applies to both internal and external bookings for any venue controlled by the College. It will be a mandatory requirement that the organisers of any event indicate they accept the terms of this Code when making a venue booking.
24. All event organisers shall ensure that proper organisation is in place for the event (including stewarding, chairing and security) to ensure that right of freedom of speech is protected.
25. The point of contact for any questions relating to these processes shall be the Head of Projects, Facilities and Operations.

## Deciding whether an event can go ahead

26. In considering whether to permit its premises and online platforms to be used for, or its name to be associated with, a particular event, the College will uphold free speech within the law.
27. It shall be accepted as reasonable to refuse consent, or withhold facilities for any event to which this Code applies where the College reasonably believes (from the nature of the speakers or from similar events in the past whether held at the College or otherwise) that:
  - the views likely to be expressed by any speaker are contrary to the law
  - the intention of any speaker is likely to be to incite breaches of the law or is to intend breaches of the peace to occur
  - the views likely to be expressed by any speaker are for the promotion of any illegal organisation or purpose
  - the views likely to be expressed by any speaker are for the promotion of any organisation subject to the College's "No Platform" policy as amended from time to time
  - it is in the interests of public safety, the prevention of disorder or crime or the protection of those persons lawfully on premises under the control of the College, that the event does not take place
28. By 'speaker' this Code means any organiser or other person invited to address the meeting other than members of any audience at that meeting. This includes a performer or other artist who addresses an audience or class as part of an event.

29. The expression of views which are unpopular, controversial or provocative or which cause offence, shock or disturb do not, if lawful, constitute grounds for the refusal or cancellation of an event or an invited speaker or performer. This also covers stage productions or similar activities that are presented at the College.
30. Where the College is reasonably satisfied that the otherwise lawful expression of views at any event is likely to give rise to disorder, the College shall consider what steps it is necessary to take to ensure:
  - the safety of all persons
  - the maintenance of order; and
  - the security of premises controlled by the College
31. The College may impose such conditions and requirements upon the organisers as are reasonably necessary in all the circumstances. These may include, but are not limited to, requirements as to provision of stewards and security, variation of location and time, ticketing, and whether the event shall be open to the public at large.
32. The College will take reasonably practical steps not to pass on security costs for external events except in exceptional circumstances. Circumstances are exceptional when additional security is required over and above that provided by the College on a day-to-day basis or over and above normal out of hours security costs. In these circumstances we will pass on the costs of additional security to the event organisers.
33. Where the College concludes that imposing conditions would not be sufficient to prevent serious disorder within premises subject to their control, it may decline to permit such events to be held. The withholding or withdrawal of permission will only occur in exceptional circumstances where measures cannot be put in place to secure freedom of speech within the law and wherever possible after consultation with appropriate internal and external parties.
34. In a similar way, protests against an event must be conducted in a peaceful way without infringing the rights of others, including the right to Freedom of Speech. No protest should prevent an event from going ahead as scheduled.

## No platform policy

35. The College will offer no platform to those who:
  - are intolerant of the free speech of others, both generally and where it includes the denial of the right to hold or express an opposing opinion. This also includes those who engage in the active prevention of permitting others to speak, such as the interruption – violent or otherwise – of meetings.
  - advocate or engage in violence in the furtherance of their political, religious, philosophical and/or other beliefs.
  - hold and disseminate views which are contrary to the maintenance of liberty under the rule of law in the UK or who advocate or engage in the violent overthrow of democracy in the UK or elsewhere.
36. The College reserves to itself the right to debar speakers, performers, artists or organisations from the College where the College reasonably believes that their presence on College property is not conducive to the good order of the College, or where it would offend the principles of scholarly inquiry, or where it would put at risk the safety of students, staff or the general public.

## Managing the event

37. The College expects those attending events to respect the values noted in this code and to show tolerance to all sections of its community. These precepts apply in particular to the way in which views are expressed and the form of events, including any form of protest activity.
38. The organisers of the event shall have a duty so far as is reasonably practicable to ensure that both the audience and the speaker act in accordance with the law during the event, noting that:
  - If a speaker breaks the law, the speaker is culpable.

- Protest is itself a legitimate expression of freedom of speech. However, protest must not shut down debate.
39. In the case of unlawful conduct, the event organiser shall give appropriate warnings, and, in the case of continuing misconduct, the event organiser shall require the withdrawal or removal by security or if necessary, by the police of the person(s) concerned.
  40. It shall be the responsibility of the organisers of the event to ensure that no articles or objects shall be taken inside the venue where the event is being held in circumstances, which are likely to lead to injury, damage or breach of the law.

## What to do if you think your freedom of speech has been compromised

41. Students may submit a complaint related to concern about matters that affect the quality of a student's learning opportunities or student experience via the Student Complaints Policy. Matters relating to the conduct of students will be considered under the Student Code of Conduct.
42. Staff may submit a complaint related to their freedom of speech (or for academic staff, their academic freedom) under the Grievance Policy and Procedure.
43. Any other complaints in relation to free speech may be emailed to [info@rcm.ac.uk](mailto:info@rcm.ac.uk) and will be directed to the appropriate senior person.
44. Students and staff members have the right to appeal the decision if their complaint is not upheld and should follow the procedure for appeals in the relevant policy. Any further appeal by any College student or staff member against a decision made under this Code by the College's staff may be made, within ten working days of the completion of any previous processes, to the Director. The decision of the Director shall be final.
45. The Office for Students (OfS) operates a free speech complaints scheme. Under that scheme, the OfS can review complaints about free speech from members, students, staff, applicants for academic posts and (actual or invited) visiting speakers. Information about the complaints that the OfS can review is available on its website.

## Further information

46. The College's Governing Body (The Council) will approve and review the Code at regular intervals.
47. Responsibility for the interpretation and implementation of the Code is delegated by the Council to the Directorate. They shall report to the Council on the circumstances of any significant infringements of, or departures from, the provisions of this Code.

## Signatories and document history

### Deputy Director

Kevin Porter

### Clerk to Council

Sharon Moloney

May 2024

### Policy reviewed by

Directorate

May 2024