

Royal Academy of Dance  
Faculty of Education

Freedom of Speech  
Code of Practice

## Introduction

1. The Board of Trustees of the Royal Academy of Dance requires all members of staff and students of the Royal Academy of Dance to tolerate and protect the expression of opinions **within the law**, whether or not they are in agreement with them. Accordingly, and as required by law, the Board of Trustees has approved and adopted this Code of Practice.
2. This Code is binding on all members of staff, on the Board of Trustees and on students. For students, it has the force of the Academic Misconduct Policy and Procedures and the Disciplinary Offences Policy and Procedures. Any alleged breach of this Code may be the subject of disciplinary hearings.
3. The Royal Academy of Dance is under no legal obligation to hold meetings or other activities on its premises which are open to the outside public. It must take account of its other legal obligations with regard to what is said on its premises which might lead to incitement to violence, breach of the peace or incitement of racial or religious hatred or which might otherwise transgress the bounds of lawful speech. As required by the Equality Act 2010, the Royal Academy of Dance will not tolerate harassment of its staff or students.
4. This Code is read alongside the Royal Academy of Dance Academic Freedom Policy, whereby:
  - 4.1. Academic staff have the freedom within the law 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.

### Relevant Legislation:

5. The Higher Education (Freedom of Speech) Act 2023, places a duty on the governing body of a registered higher education provider to take steps that have particular regard to the importance of freedom of speech. In order to facilitate discharge of the Higher Education (Freedom of Speech) Act 2023 duty, the Royal Academy of Dance must explain how its values on freedom of speech are upheld. It must also explain the procedures to be followed by staff, students and members of the Royal Academy of Dance and any visiting speakers, in connection with the organisation of meetings held on Royal Academy of Dance premises and other activities which take place on the premises which fall within any class of activity.

6. Section 43 of the Education Act (No 2) 1986 places a legal requirement on the Royal Academy of Dance to issue a code of practice and requires the Royal Academy of Dance to ensure its facilities are not denied to anyone on the grounds of their beliefs or views.
7. The Equality Act 2010 places a duty on the Royal Academy of Dance to eliminate discrimination, harassment and victimisation and further to foster good relations between all people of the Royal Academy of Dance community.
8. The Public Order Act 1986 contains a number of criminal offences relating to violent conduct, speech or actions that threaten violence or cause fear, harm or distress. The Act also makes it an offence to use threatening, abusive or insulting words or behaviour either with the intention of stirring up racial hatred, or in circumstances where it is likely racial hatred will be stirred up.
9. The Counter Terrorism and Security Act 2015 places an obligation on the Royal Academy of Dance to have due regard to its duty to prevent people from being drawn into terrorism.
10. The Royal Academy of Dance has duties under the Health and Safety at Work Act 1974 to ensure the health, safety and welfare at work of all staff and that its operations do not expose students, external speakers and other visitors to risks to their health and safety. As such, the normal principles contained within the RAD's Health and Safety Policy will apply.

#### Definitions:

11. "Designated Activity" means any organised meeting, event, gathering or similar activity which takes place on RAD premises, or which takes place elsewhere but is under the control of the Royal Academy of Dance, or activities organised by its Students Union, **where there is a reasonable expectation** on the part of the Principal Organiser, Responsible Officer or other member of the RAD's community **that freedom of speech within the law may be compromised**, unless remedial action is taken.

A comprehensive definition of activities is not practicable, but these activities may include visits by public figures, especially if their views have roused controversy in the past, or where the subject matter of the activity is likely to be regarded as controversial, objectionable or an incitement to terrorism by at least some of the participants.

The "Principal Organiser" must undertake a self-assessment to determine whether further scrutiny and support from the Royal Academy of Dance is required. If the Principal Organiser reasonably decides that there are not issues, the event can go ahead. **It is anticipated that the vast majority of events organised will fall into this category.**

12. The "Responsible Officer" is the person responsible to the Chief Executive and through them to the Board of Trustees, for ensuring compliance, as far as

reasonably practicable with this Code of Practice by all people in the community of the Royal Academy of Dance, students, and employees of the Royal Academy of Dance, visiting speakers, and hirers of the Royal Academy of Dances's premises. The role of Responsible Officer will be fulfilled by the Chief Operating Officer or their nominee.

13. The "Principal Organiser" is defined as the person nominated, by the organisers of any activity which in their view might reasonably be expected to be designated, to be responsible for informing the Responsible Officer of the existence of such an activity and for liaising with the Responsible Officer thereafter. The Principal Organiser shall perform other such duties as may reasonably be requested by the Responsible Officer. If a Principal Organiser has not been nominated by the organisers of the activity, the person who requested use of the Royal Academy of Dance's premises will be deemed to be the Principal Organiser.

#### Principles:

14. So far as reasonably practicable, the use of the Royal Academy of Dance's premises is not denied to any individual or body of persons on any grounds connected with:
  - 14.1. The beliefs or views of that individual or that body; or
  - 14.2. The policy or objectives of that body.
15. Principal organisers have a duty to ensure that nothing in the preparations or conduct of a meeting or activity, whether designated or otherwise, infringes the law, e.g. by conduct likely to cause a breach of the peace or incitement to illegal acts, including terrorism. Assemblies of persons directed to lawful purposes cease to be lawful if they cause serious public disorder or breach the peace.
16. Principal organisers are expected to highlight at the earliest opportunity any grounds for believing that a speaker will be controversial or will potentially commit a criminal offence.
17. All Board of Trustees, members of staff and students are required to ensure compliance, through disciplinary measures if necessary, with the terms of the Code. Additionally, if such actions involve breaches of the law the Royal Academy of Dance will readily assist the prosecuting authorities to implement the processes of the law. Any staff who become aware of an event or activity to which this Code may apply should follow the instructions below (section 18 onwards).
18. The granting of permission by the Royal Academy of Dance for the holding of activities on its premises to an individual or body does not imply any endorsement by the Royal Academy of Dance of the policy or objectives of that individual or body.

Procedures for the organisation of meetings and activities involving the use of RAD premises:

19. The Principal Organiser shall report to the Responsible Officer any proposed use of the premises which may constitute a Designated Activity as described in Section 10 of this Code.
20. The Principal Organiser is responsible for bringing this Code to the attention of those wishing to book the Royal Academy of Dance's premises.
21. At the earliest possible stage, the Principal Organiser will provide the information shown in Appendix 1: *Freedom of Speech Checklist* to the Responsible Officer. This information is required in order for the Responsible Officer to approve the Designated Activity in line with this Code.
22. As soon as is practicable after being notified that a Designated Activity is scheduled to take place, the Responsible Officer will, after consultation with the Principal Organiser either grant or withhold permission for the use of the Royal Academy of Dance's premises. In the event that permission is declined, reasons will be provided why.
23. Permission granted may be subject to conditions as the Responsible Officer considers necessary to secure fulfilment of the RAD's statutory responsibilities concerning the protection of free speech within the law.
24. Following permission, completion of the Faculty of Education's External Speaker Request Form/Royal Academy of Dance's Studio Booking Form or other appropriate documents can be made.
25. Exceptionally, and only after consultation and advice from the Chief Executive or Board of Trustees, the Responsible Officer may in the light of the obligations placed upon the Board of Trustees under the Education (No 2) Act 1986 Part IV, require that the meeting not take place.
26. The decisions of the Responsible Officer shall be binding on all those concerned subject only to appeal to the Board of Trustees, whose decision shall be final.
27. The Responsible Officer shall have the right to attend any meeting and at their absolute discretion in the light of the obligations placed upon the Board of Trustees under the Act to terminate the meeting if circumstances so warrant.
28. Any decisions taken not to allow a meeting to take place, or to terminate a meeting, or place special measures upon the meeting shall be reported to next Board of Trustees meeting.

Authority and signature:



Date: 20<sup>th</sup> June 2024

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Chairman  
On behalf of the Board of Trustees

Drafted:	November 2018
<b>Approved, signed and dated</b> by the Board of Trustees	20 <sup>th</sup> June 2024
Date of Review:	May 2025