Freedom of Speech Policy

Updates:
Updated in accordance with Higher Education (Freedom of Speech) Act 2023 which will commence from August 1 2025

New additions highlighted in yellow

One amendment from Audit Committee in red

Previous Update	Oct 2022
Current Update	May 2025
Next Update	Oct 2028
Review Cycle	3 Years
Lead Contact	Lise Uytterhoeven, Chief Academic Officer
Approval by	Audit Committee

Freedom of Speech Policy Statement

1. Freedom of speech and expression are core to The Place's values. We believe that an atmosphere of tolerance is essential to enable open discussion and debate of a wide variety of ideas, some of which may be controversial.

   This Policy is issued in accordance with the Higher Education (Freedom of Speech) Act 2023, and with section 43 of the Education [No 2] Act 1986 for the following purposes:

   - to identify the reasonably practicable steps that must be taken to promote the importance of freedom of speech in higher education and to ensure that freedom of speech within the law is secured for all Place Staff, Students and visitors;
   - to satisfy the requirement for all universities to have codes of practice to ensure the protection of free speech

     and
   - to specify arrangements for the management of meetings and events on The Place's Premises which are not an integral part of the day-to-day artistic, academic or administrative business of The Place.

2. The governing body of a registered higher education provider is required by law to take reasonably practicable steps to secure freedom of speech within the law for—

   (a) staff of the provider,

   (b) members of the provider,

   (c) students of the provider, and

   (d) visiting speakers.

3. In order to discharge this legal duty, the Board of Governors has established a code of practice establishing procedures for meetings, events and other activities taking place under the authorisation of The Place's and the conduct of staff, students and any other attendees of such meetings.

4. The obligation to secure freedom of speech is not absolute and certain limitations are imposed by the law.

   For example, the law prohibits

   - threatening, abusive or insulting words or behaviour in circumstances where there is a likelihood of stirring up racial or other forms of hatred. The laws relating to equality and discrimination also require The Place to have

due regard for the need to prevent discrimination, harassment and victimisation as set out in The Place's Equal Opportunities Policy.

- inviting support for a proscribed terrorist organisation. The Counter-Terrorism and Security Act 2015 imposes a duty on The Place to have due regard to the need to prevent people from being drawn into terrorism. This is covered by The Place's The Prevent Policy.

Speech that amounts to **unlawful harassment or unlawful discrimination does not constitute free speech** within the law and is not protected.

5. This policy covers all members of The Place community including employees, officers, consultants, freelance contractors, casual workers and agencies workers of The Place together with all visiting and honorary members of staff, and students, and any attendees of meetings, events or activities held under The Place's authorisation either on its own premises, at another venue or online.
6. Information about the free speech complaints scheme operated by the Office for Students will be made available to staff and visiting speakers. Students will continue to have access to the Office of the Independent Adjudicator (OIA) complaints scheme if complaints about free speech cannot be resolved with the institution directly.
7. This code of practice does not form part of any employee's contract of employment and may be amended at any time.

This policy approved: May 2025

Next review date: May 2028 or as required by changes to legislation or guidance

Related documents:

Higher Education (Freedom of Speech) Act 2023

Education (No. 2) Act 1986

Equality Act 2010

Code of Practice

1) This Code of Practice applies to all staff and students of The Place, including visiting professionals, and to any other person in attendance at any meeting at The Place.

2) For the purposes of this Code of Practice a 'meeting' is any function or event which takes place in premises under the control of The Place or any constituent part of it (either its own or at an external venue), or any online function or event using equipment under the control of The Place or branded as authorised by The Place. For the purposes of this Code of Practice, 'meeting' does not include any class, rehearsal, workshop, or performance which forms part of the ordinary artistic, academic and/or administrative business of The Place.

3) The procedures described below and attached in Appendix 1 exist to:
   (a) specify arrangements for the management of meetings and other functions on The Place's premises which are not an integral part of the normal artistic, academic and/or administrative business of the The Place;
   (b) identify reasonably practicable steps that must be taken to ensure that freedom of speech within the law is secured for members of The Place and for visiting speakers.

4) The Place will not deny use of its premises to any person or group seeking to host a meeting which observes the law on any ground connected with the belief or views of that person or member of that body.

5) The person who makes the meeting request shall be deemed the organiser of the meeting. The organiser of the meeting shall be held responsible for the proper conduct of the meeting within the law and this Code.

6) Members of The Place and other persons attending meetings must behave in a lawful manner.

7) The arrangements for the approval of external speakers also pertain to and shall be used for the purposes of The Place's Prevent policy.

Arrangements and Procedures

8) LCDS Staff including visiting lecturers: When a member of LCDS staff wishes to hold a meeting, a written request must be made to the Director of Dance Studies. 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. This must include the outcome of the **risk assessment** using the guidance in Appendix 2. This information will inform any judgment concerning The Place's capacity to host a meeting.

9) Other staff: When a member of Place staff outside of LCDS wishes to hold a meeting, a written request must be made to the Artistic Director. 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. This must include the outcome of the risk assessment using the guidance in Appendix 2. This information will inform any judgment concerning permission to host a meeting.

10) Students: When a registered student of The Place wishes to host a meeting, a written request should be made the Director of Dance Studies. 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. This must include the outcome of the risk assessment using the guidance in Appendix 2. This information will inform any judgment concerning permission to host a meeting.

11) External Hires: When an external hirer of The Place's facilities wishes to hold a meeting, a written request must be made to the Head of Visitor Services. Requests should be made as far as possible in advance before the booking can be confirmed.

    Requests should provide the information outlined in Appendix 1. **This must include the outcome of the risk assessment using the guidance in Appendix 2.** The external hirer must also meet any additional costs associated with managing any risks to The Place represented by the booking. This information will inform any judgment concerning permission to host a meeting.

12) The Director of Dance Studies/Artistic Director/Head of Visitor Services or their nominated deputy may seek further information in relation to the request, including consulting other members of the senior management. In the light of the information, they may determine to postpone or refuse permission for the meeting, or to set any other reasonable conditions (including but not to limited to security arrangements necessary, restrictions on external attendance, and the time the meeting must end).

13) A decision about whether the meeting may take place will be communicated to the organiser usually within a fortnight of receiving the request.

14) Meetings may not be advertised prior to approval without the express permission in writing by the Director of Dance Studies/Artistic Director/Head of Visitor Services.

15) Where a meeting request by a member of staff or a student is refused, the organiser may appeal to the Chief Executive. Appeals will be heard as soon as is reasonably practicable. The ruling shall be final.

16) External organisations have no right of appeal where a booking is refused.

17) In considering appeals, the Chief Executive may consult a freedom of speech panel. The members of the panel will not have been involved in the meeting request and will normally comprise: another member of the Senior Management Team, up to two additional members of Academic Board and a student representative.

General Conditions

18) Infringements of or departures from this Code of Practice by members of The Place may render those responsible subject to disciplinary proceedings. Additionally, if any such actions involve breaches of the law, The Place will assist prosecuting authorities.

19) 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 Director of Dance Studies/Artistic Director/Head of Visitor Services.

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

21) Nothing in this Code of Practice shall prevent a member of senior management from taking such steps as may be necessary at any time to ensure the safety of staff of The Place or other persons, or to safeguard the premises and property of The Place.

22) An annual report of any requests submitted under this Code of Practice will be reviewed by the Audit Committee.

Appendix 1: External Speaker Request Form

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

Designated officers: LCDS Staff/Student Events: Director of Dance Studies

Place Staff: Artistic Director

External Hires: Visitor Services Manager

Information required:

- Date, time and exact place of the meeting or function, including precise timing on expected arrival and departure of speakers.
- Name of any speaker(s) or likely alternative speaker(s).
- Subject/nature of the meeting.
- Draft copy of any proposed notice, leaflet or other advertising material.
- Name, address, email address and telephone number of the person organising the meeting or function.
- Whether the audience will include persons who are neither members of staff or students, and whether the event is open to the general public.
- 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.
- Whether the meeting is likely to give rise to difficulties in relation to freedom of speech.
- Whether the meeting is likely to give rise to difficulties in relation to the safety of the speaker or others within the audience.
- Whether the meeting is likely to give rise to difficulties in relation to the Prevent Duty.
- Arrangements for chairing the meeting or function.
- Whether the speaker has been refused permission to speak at The Place in the past.
- Whether the speaker is known to be controversial in relation to reputation, political views or religious views (this is not an exhaustive list).
- Whether the speaker is likely to attract high media attention.
- Outcome of the risk assessment (see Appendix 2).

Appendix 2 Risk Assessment

How to calculate your risk assessment

A risk assessment is made by giving careful consideration of conseqeuences if this speaker event goes ahead, and then calculating the severity and likelihood of these problems arising.

You must take account of risks in relation to:

- **Health and Safety** i.e. is there a possibility of anyone being injured; and
- **Security** i.e. is there a risk of disorder which could put people or property at risk.

These two concerns will often overlap.

Use the statements below to help you to rate the risk level of your speaker event. Please note this is not an exhaustive list of risks.

A Substantial or Extreme risk rating may impact the capacity of The Place to safely hold the meeting.

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 The Place's 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 Place 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 Place students and staff only.
Moderate (3-4)	• The speaker and/or topic may be uncontroversial, but the event is open to non-Place 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 and therefore outside The Place's direct control.
Substantial (6)	• The speaker /guest and/or topic are controversial. • There may be adverse media attention and a member of staff should attend. • The speaker has been refused permission to speak at another institution before. • Attendance at the event will be high and is open to non-Place students and staff. • There may be a need for some security presence. • The event is being held at an external venue and therefore outside The Place's direct control.
Extreme (9)	• The speaker/guest and or topic are highly controversial and will attract adverse media attention. • The speaker/guest has been refused permission to attend an event at The Place and 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-Place students and staff are invited to attend. Security presence would be essential. • The event should only take place with strict controls in place to protect individuals and property. • The event is being held at an external venue and therefore outside The Place's direct control.

Likelihood		**Severity**		
		Low (1)	**Medium (2)**	**High (3)**
	Unlikely (1)	**L (1)**	**L (2)**	**M (3)**
	Likely (2)	**L (2)**	**M (4)**	**H (6)**
	Highly Likely (3)	**M (3)**	**H (6)**	**H (9)**

RISK LEVEL GUIDELINES: (Calculation is Severity x likelihood) (1-2) = Low; (3-4) = Medium (6-9) = High