

CODE OF PRACTICE ON FREEDOM OF SPEECH AND ACADEMIC FREEDOM



Summary

- 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.
- The College has 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 RCM Royal Charter specifically confers academic freedom.
- 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.
- Unlawful speech is not protected.
- All events, public and private, held on premises controlled by the College are subject to this Code. The College reserves the right to refuse use of the premises for any event that is believed to compromise freedom of speech.

Values

1. 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.
2. 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.
3. 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

4. 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.
5. 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).
6. 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.

Academic Freedom

7. 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.
8. 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.
9. 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.

No platform policy

10. 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.
11. 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.

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

12. 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.
13. Staff may submit a complaint related to their freedom of speech (or for academic staff, their academic freedom) under the Grievance Policy and Procedure.
14. Any other complaints in relation to free speech may be emailed to info@rcm.ac.uk and will be directed to the appropriate senior person.
15. 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.

Further information

16. The College's Governing Body (The Council) will approve and review the Code at regular intervals.
17. 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

September 2024

Policy reviewed by

Directorate

September 2024

Appendix 1 – Guidance for events

Appendix 1

Guidance for events

18. 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.
19. 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.
20. The point of contact for any questions relating to these processes shall be the Head of Projects, Facilities and Operations.
21. The College expects those attending events to respect the values noted in this code and to respect all sections of its community.
22. 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.

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.