

Code of Practice for Freedom of Speech and Academic Freedom

Key principles and operation

1. Guildhall School of Music and Drama is committed to the principles of academic freedom of enquiry and an environment where free and open-minded discussion can take place. It promotes a community built on mutual trust and respect which is a core feature of its professional training and its approach to learning.
2. The School considers that vigorous debate is proper and acceptable in a higher education context. Further, it is a long-standing tradition that the arts both reflect and challenge the political, religious and social mores of the day. Therefore, staff and students should have freedom, within the law, to voice a wide range of views and opinions on social, economic, political, cultural and religious issues, and to put forward controversial or unpopular opinions. These opinions may be expressed in the form of artistic outputs, including plays, concerts, operas, installations or other art forms.
3. The School advocates for the importance of both freedom of speech within the law, and academic freedom for academic staff in the provision of higher education. It champions the very high level of protection for the lawful expression of a viewpoint and for speech in an academic context and higher education environment, and notes that freedom of speech within the law may include speech that is shocking, disturbing or offensive.
4. The School does not enter into non-disclosure agreements related to complaints about sexual misconduct, bullying or harassment.

Definitions

5. Freedom of speech means the freedom to impart ideas, opinions or information by means of speech, writing or images (including in electronic form).
6. We note that, in accordance with the law, the exercise of these freedoms may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

7. Academic freedom, in relation to academic staff at the School, means their freedom within the law to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions, without loss of their jobs or privileges at the School, or the likelihood of their securing promotion or different jobs at the School being reduced.

Legislation

8. The School complies with its legal responsibilities, including:
 - a. the need to take reasonably practicable steps to secure freedom of speech and academic freedom within the law in accordance with the Higher Education and Research Act 2017 (as amended by the Higher Education (Freedom of Speech) Act 2023);
 - b. the rights and freedoms enshrined in the European Convention on Human Rights and incorporated into domestic law by the Human Rights Act 1998;
 - c. the rights of individuals under the Equality Act 2010, and the duty to have due regard to the need to eliminate unlawful discrimination, promote equality of opportunity, and foster good relations between different groups (the Public Sector Equality Duty); and
 - d. the Counter-Terrorism and Security Act 2015 which requires higher education institutions, including the School, and other 'specified authorities' to 'have due regard to the need to prevent people from being drawn into terrorism' (section 26 (1)) and which also provides that 'when carrying out the duty imposed by section 26 (1)', universities 'must have particular regard to the duty to ensure freedom of speech; and to the importance of academic freedom.'
9. Legislation, including but not limited to the Terrorism Acts and the Public Order Acts and the criminal law may be relevant to particular events. The School's obligations are limited to securing and promoting lawful speech. If speech breaches the law, it will not fall within the protection of this Code.

Scope

10. The Code applies to all:

- a. **members** (individuals who are formally associated with the School in accordance with its governing documents);
- b. **students** (A person undertaking, or with a binding offer to undertake, a course of study or a programme of research at the School, and students not on credit-based programmes);
- c. **staff** (an employee of the School or other person working for the School under a contract of employment, including, without limitation, a fixed-term contract, a zero-hours contract, an hourly-paid contract or other type of casual or atypical contract of employment)
- d. **visiting speakers** (individuals who are not current employees or students, and who are invited by a member, student or School employee, acting in their capacity as a member, student or School employee, to speak, perform, or present, at an event held on the School's premises or under its auspices, whether in person or online); and
- e. **events** (to include any event on campus premises, including but not limited to guest lectures, seminars, conferences, masterclasses, research presentations, concerts, recitals, productions, showcases, rehearsals, open days, panels, guest speaker sessions, and student-led activities).

11. The School is committed to securing, so far as is reasonably practicable, freedom of speech and academic freedom within the law. This includes but is not limited to its activities in respect of:

- a. admissions, appointments, employment and promotion;
- b. complaints and investigation processes;
- c. governance;
- d. research;
- e. meetings and events;
- f. teaching;
- g. training; and
- h. in the consideration of its policies and procedures, including those relating to discipline.

Procedure for events

12. The below procedure is intended to ensure that events can proceed with the requisite levels of support. It is not intended to provide a barrier to events and the presumption is that events should go ahead and that cancellation will only be necessary in exceptional circumstances.
13. Events may only be cancelled, or conditions imposed, further to this procedure.
14. Permission is required for meetings and events to be held on School premises. The vast majority of meetings and events will be able to proceed using the standard booking procedure and will not fall within the scope of this procedure.
15. Members, students, and staff of the School who are organising meetings or events falling within the provisions of paragraph 14, or those who are responsible for administering external bookings of School premises are responsible for assessing whether there are any major risks in the context of this Code.
16. If they are in any doubt or have any questions or need for further information, they are encouraged to discuss the situation with the Director of Student & Academic Services and Registrar at registry@gsmd.ac.uk.
17. In order to initiate this procedure in respect of a meeting or event, organisers should inform the Director of Student & Academic Services and Registrar at least seven (7) working days in advance of the meeting or event (although the School may, at its discretion, agree to receive information closer to the time of the meeting or event) via registry@gsmd.ac.uk.
18. Events that should be reported include:
 - a. Those where the views likely to be expressed by any speaker are contrary to the law, for example because the speaker intends to incite breaches of the peace, or because attendees will experience, or could reasonably fear, discrimination, harassment, abuse or violence, particularly (but not exclusively) on account of their age, disability, gender reassignment, marriage or civil partnership, pregnancy, maternity, race, religion or belief, sex or sexual orientation, or gender re-assignment; or
 - b. Where there is likely to be a risk to the safety of those lawfully on School premises, or a risk of public disorder; or
 - c. it is known that the proposed speaker belongs to, or professes to belong to, a proscribed organisation; or the proposed speaker will use the event to support, or to further the activities of, a proscribed organisation.

19. The lawful expression of controversial or unpopular views will not in itself constitute reasonable grounds for withholding permission for a meeting or event. However, speakers should anticipate that their views might be subject to robust debate, critique and challenge and risk assessments will be conducted as appropriate.
20. The School shall act in a risk-based and proportionate manner and with the desire, wherever possible, to enable events or meetings to proceed subject to appropriate risk management.
21. In order to facilitate an event, the School has the power to postpone or relocate a meeting or event or to impose conditions, including ticketing, or the requirement that a speaker with an opposing view is also given a platform at the event. The responsibility for fulfilling these conditions rests with the organisers.
22. Apart from in exceptional circumstances, the School will not require the individual or body to bear some or all of the costs of security relating to their use of the premises. This applies to all individuals or bodies regardless of their ideas, opinions, policies or objectives
23. Where the visiting speaker could reasonably be expected to have their own security, for example, because they hold a position of state or a political office, the School will engage with the speaker in advance of the event.
24. In the exceptional event that the School considers that the risks cannot be mitigated by the imposition of conditions, or the organisers refuse to comply with the School's conditions, the School has the right to cancel the meeting or event.
25. The School will communicate its decision as promptly as possible and will set out the reasons for the decision.
26. It is not anticipated that events and meetings which have been organised as part of the academic curriculum would require formal referral under the provisions of this Code.

Appeal

27. If an organiser or any member of the School, or member of School staff, or visiting speaker who has consulted the School with concerns about a meeting or event is unhappy with the outcome, including a decision in respect of security costs, they may write to the Office of the Principal of Guildhall School at principalsoffice@gsmd.ac.uk, setting out clear reasons for their unhappiness with the decision and requesting a reconsideration of the decision.

28. The Office of the Principal will communicate the Principal's decision on the appeal promptly and will set out the reasons for the decision.

Complaints

29. If you are dissatisfied following the completion of this process you can complain as follows:
- a. If you are a student, under the School's [Student Complaints Procedure](#)
 - b. If you are a member of staff, you may raise a grievance using that [City of London Corporate Complaints Procedure](#)
 - c. If you are a visiting speaker, you may complain to the Director of Student & Academic Services and Registrar.

Conduct

30. Everyone has the right to free speech within the law.
31. If a speaker breaks the law, it is the speaker who is culpable.
32. Protest is itself a legitimate expression of freedom of speech. However, protest must not shut down lawful debate.
33. Attempts to subvert the provisions of this Code, or to disrupt or obstruct the exercise of lawful freedom of speech and/or academic freedom will be considered as a potential disciplinary matter in accordance with Student Code of Conduct & Disciplinary Procedure (Section 5A) and the Staff Code of Professionalism and Conduct. In particular, it is considered that such conduct may constitute:
- a. Disruption of the activities of the School (including academic, administrative, sporting and social) on School premises or elsewhere;
 - b. Disruption of the functions, duties or activities of any student or employee of the School or any authorised visitor to the School; and/or
 - c. Behaviour which has caused serious damage or could have caused (serious) damage to the reputation of the School.

Dissemination

34. This Code will be included in the School's Student Handbook and will be brought to the attention of students at the beginning of each academic year as part of their induction or re-induction procedures.

35. The Code will be brought to the attention of all members of new staff as part of their induction procedures. It will be included in the School's Staff Handbook and will be brought to the attention of all staff members on an annual basis.

36. The Code will be published on the School's website and in its prospectus.

Monitoring

37. The School will monitor any concerns that have been raised about freedom of speech and academic freedom, including in connection with the Office for Students' complaint scheme. Monitoring will help us to ensure that any concerns are addressed so far as reasonably practicable.