

MOUNTVIEW

Free speech code of practice

Mountview supports the principle of freedom of speech and expression within the law as one of the fundamental principles upon which a Higher Education Institution is founded. It also 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 any risk.

These principles are upheld by our values, which are:

- Challenge the status quo
- Create belonging
- Sustain the future
- Compassionate collaboration
- Transparent communication

Mountview's training requires the agreement of all parties that freedom of artistic expression and speech is vital in order to provide training that fully explores the widest range of artistic endeavours. While we recognise that freedom of speech within the law may include speech that is shocking, disturbing or offensive, we engage in discussion in order to test and challenge ideas and explore moral and ethical standpoints as part of our practice and artistic freedom. Mountview will ensure high levels of protection for the lawful expression of a viewpoint and for speech in an academic or artistic context, including the freedom to choose repertoire, make artistic interpretation, etc. without employment consequences.

The right to freedom of speech and artistic expression is, however, not absolute. Freedom of expression may not be exercised if in so doing it breaks the law or breaches the rights of others, such as if its expression is unlawfully discriminatory or threatens others' safety or freedom of expression. Membership of the Mountview community, and permission to use its premises and resources, is predicated upon acceptance of these principles.

The purpose of this code is to set out the parameters of Mountview's approach and to ensure that there is clarity about the application of these principles, most particularly in relation to the hosting of events.

The Legal Framework

Section 43 of the Education Act (No 2) 1986 requires higher education institutions to take reasonably practicable steps to ensure freedom of speech within the law for its employees, students and visiting speakers. This includes the duty to ensure, as far as reasonably practicable, that the use of premises is not denied to any individual or organisation on the grounds of their beliefs, views, policies or objectives.

Under the Act, higher education institutions must also issue and keep up-to-date a Code of Practice on Freedom of Speech, setting out the procedures to be followed by students and staff regarding the organisation of meetings and activities which fall within this Code, together with the conduct required of staff, students and visiting speakers in connection with those meetings and activities.

Section 26(1) of the Counter-Terrorism and Security Act 2015 requires higher education institutions to have due regard to the need to prevent people from being drawn into terrorism when exercising its functions (the 'Prevent duty'). Such bodies must have regard to statutory guidance issued by the government when carrying out the Prevent duty.

Maintaining a balance between these requirements involves making judgements about important issues of academic freedom and creative expression within the law. Mountview considers it essential to be aware of the sensitivities involved in striking this balance and to put in place safeguards that do not compromise the core values of the institution.

Scope

This Code's obligations apply to:

- All staff and subcontracted staff (whether academic staff or otherwise) and those whose normal place of work is on the premises;
- All full-time and part-time students of Mountview (including those intermitting their studies or under suspension);
- Mountview's board of trustees;
- Any third party organisation that wishes to hold an event on Mountview premises (whether or not at the invitation of a staff member or a student); and
- All events that take place on the premises and any off-campus or online events which are funded by Mountview or are branded in a way that associates them with Mountview (including student society events held offsite or online).

This Policy applies to the following meetings and events:

- Meetings and events on the premises which are arranged by staff or students but on a 'private' basis (where the member of staff is hiring the premises on the same basis as a member of the public).
- Meetings and events on the premises or online, which are arranged as part of the higher education provision.
- Meetings and events on the premises or other uses of the facilities which are arranged by persons not associated with Mountview, whether by hire or any other arrangement.
- Meetings and events on the premises or online arranged by any Mountview student-led club or association which involve an external speaker not associated with the organisation.
- Mountview branded events involving external speakers and taking place off-site or online.

Breach of this code will be considered a disciplinary matter.

Staff involved in event approval and disciplinary decisions will receive annual training on this Code and freedom of speech duties.

Ensuring academic freedom

The principle of freedom of speech set out in this Code shall extend to the performance by all staff of their duties and responsibilities and to any visiting or guest lecturer invited by

Mountview. It shall also extend to students presenting or exhibiting work produced during the course of their studies with Mountview.

Any person or body to which this Code applies shall not take any action (other than by reasonable and peaceful persuasion) to prevent the holding or continuation of any lecture, tutorial, exhibition, or other academic activity because of the views held or expressed or which are reasonably likely to be expressed, (whether or not within Mountview) by the lecturer or tutor or student concerned, except as provided for in the 'Approval of an event' section below.

Any person or body to whom this Code applies shall not take any action (other than reasonable and peaceful persuasion) to prevent any student or group of students from attending any academic activity required by, or properly associated with, the course for which they are enrolled because of the views or beliefs held or lawfully expressed (whether or not within Mountview) by that student or because of the reasonable likelihood that such views will be expressed.

General principles around organising events

Where any person or body subject to the obligations of this Code wishes to hold any meeting or other event for the expression of any views or beliefs held or lawfully expressed on premises or electronic media controlled by Mountview, consent shall not be unreasonably refused. The starting point for any event is that it should go ahead and that cancellation is exceptional and undesirable.

Expression of opinions which are 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 Mountview failing in its wider legal duties.

The person organising an event has a duty as far as is possible to ensure that the speaker(s) and the audience at a meeting comply with the law; for example, it is unlawful to incite racial hatred, or to cause a breach of the peace.

If those organising an event invite speakers who they might reasonably have suspected would use their platform to break the law (e.g. because they have done so previously), organisers may fall foul of the law themselves.

Freedom of expression within the constraints of the law is a right for speakers and audience members alike. Any action that denies speakers or audience members this, such as verbal or physical intimidation or violence, is forbidden. Non-violent disagreement or protest is a part of debate, providing it does not deny an individual their freedom of expression within the constraints of the law.

Segregation by gender at meetings is generally unlawful and explicitly not permitted.

No advertisement of an event should take place before it has been approved.

Procedures to be followed by staff and students

All events should have a named event Organiser, who is the main Mountview contact for the event.

For the majority of events, this will be the Head of Course or student who is responsible for the event.

For external hires, the Organiser will be the relevant member of the Sales & Events team.

The event Organiser is responsible for undertaking an initial freedom of speech risk assessment of the event, by considering the following three-step framework:

Step 1: Is the speech 'within the law'? If yes, go to step 2. If no, the duty to 'secure' speech does not apply.

Step 2: Are there any 'reasonably practicable steps' to secure the speech? If yes, take those steps. Do not restrict the speech. If no, go to step 3.

Step 3: Are any restrictions 'prescribed by law' and proportionate under the European Convention on Human Rights?

If the answer to any of the questions is unclear, the event Organiser must submit a formal referral to the Chief Operating Officer using the standard form at Annex A. This form provides information on the purpose, audience and speaker details of the event. Organisers should make any such referral **21 days** in advance of the event taking place.

Before formally confirming an event, the event Organiser must ensure that the speaker is issued with the Code of Practice Summary Document at Annex B. This summary ensures the speaker is briefed and aware of Mountview's policy on Freedom of Speech.

Approval of an event

The majority of proposed events will be straightforward and represent no risk to Mountview staff, students or visitors. Assessment and approval of these events will be made by the relevant Head of Course or Department and will require no further referral.

In the small minority of cases where there are concerns about the nature of an event or meeting, these should be escalated where appropriate for further review and assessment, according the procedures outlined below.

An event will not be approved to proceed if:

- there are reasonable grounds for believing that the speaker or other persons at the event will incite others to commit criminal acts, such as acts of violence and/or the incitement of racial or religious hatred.
- there are reasonable grounds for believing that opinions may be expressed in a way that is contrary to the law.
- the event appears to be in direct support of an organisation that is unlawful or proscribed. For Proscribed Terrorist Groups see <https://www.gov.uk/government/publications/proscribed-terror-groups-or-organisations--2/proscribed-terrorist-groups-or-organisations-accessible-version>

- the event may cause a breach of the Terrorism Act 2006 including the encouragement or inducement to, or glorification of the commission, preparation or instigation of acts of terrorism or disseminating terrorist publications.
- the event is likely to contravene health and safety legislation, or cause a breach of the peace, or cause a public order offence.
- the scale or nature of the event is demonstrably unsuitable for Mountview's facilities or is likely to disrupt its other activities.

Where an event is not approved, a staff member or student may make an appeal to the Principal & Chief Executive Officer. Such an appeal will be heard by the Chief Executive Officer or their nominee as soon as is reasonably practicable. The Chief Executive Officer's ruling shall be final. External organisations have no right of appeal.

Any final decision to cancel an event, or to delay indefinitely, will only be taken by the Principal & CEO, or their nominated deputy in their absence (normally the Chief Operating Officer), who has delegated authority to take it.

Dealing with potential concerns/threats

Where there are any concerns raised about the nature of a speaker or an event, the matter will be reviewed by the Chief Operating Officer. S/he will refer cases to the Executive and/or the Principal for further discussion if necessary. Where it is felt that approval is controversial, further referral and discussion with the local external Prevent coordinator may be necessary.

Reasons for escalating or referring a request could involve the following factors:

- The event could cause Mountview to fail in its wider legal duties.
- The event could give concern for the health and safety of the people attending the event or nearby.
- The speaker's presence at Mountview could give rise to breach of peace.

The Executive may consult with other bodies (e.g. other universities, the police or Prevent co-ordinators) for the purpose of determining whether any of the circumstances in this paragraph are applicable to an event. Subject to the provisions of the Data Protection Act and General Data Protection Regulation, they may also share information on events and speakers with other bodies where this is necessary to promote compliance with legal requirements.

Mountview always has a limited security presence on site (Premises Officers). If, on assessment, security requirements for an event are over and above this standard presence, or when visiting speakers are expected to provide their own security due to their political or state office, these costs may be passed on to the event organisers.

All costs associated with external hires of Mountview premises will be passed on to the hirer(s).

Date reviewed: July 2025

Status: approved by the Board

Date of next review: July 2026

Owner: Director of Learning & Teaching and Chief Operating Officer

ANNEX A External Speaker Referral Form

Part 1: Event Organiser details:
Name:
Department/Organisation:
Contact details (telephone and email):
Mountview Event Organiser:

Part 2: Proposed event details:
Proposed event title:
Proposed event date:
Proposed venue:
Description (including event format):
Target audience (profile and size): <i>Please indicate if press/media presence is likely</i>
Proposed external speaker(s): <i>Please include links to biographical information if possible. Please indicate and give details if you believe that any proposed speakers have previously been prevented from speaking at an event or activity at Mountview, or another drama school, higher education institution or similar establishment.</i>

4.Risk Assessment		
Questions	Y/N	Please provide details if a risk is identified
Have you considered the three-step framework as outlined in Mountview's Free Speech Code of Practice?		
Has the speaker previously been refused permission to speak at Mountview or any other institution?		
Are there any reasons to believe that the event might be disrupted, either from within the Mountview community or by external operators?		
Do you have any reason to believe that unlawful views are likely to be expressed at the event?		
Do you have any reason to believe that the event could damage Mountview's reputation?		
Are there any Health and Safety concerns regarding venue or audience?		
I have read and understood the Mountview's Code of Practice on Free Speech		

Signed.....

Date.....

MOUNTVIEW

ANNEX B Code of Practice Summary for External Speakers

1. Introduction

1.1 This code of conduct exists to ensure that all speakers taking part in an event or activity hosted or organised by Mountview (in-person or online), or taking place on its premises, act in accordance with Mountview's Free Speech Code of Practice.

2. Event Organiser/Sponsor

2.1 Every event or activity hosted or organised by Mountview staff and students, or taking place at Mountview's premises, will have a named Mountview point of contact – the event Organiser.

2.2 The event Organiser is responsible for assessing and approving the event or referring the event to the Chief Operating Officer for approval.

3. Code

3.1 Mountview believes that freedom of artistic expression and speech is vital in order to provide training that fully explores the widest range of artistic endeavours. While we recognise that we may disagree with or abhor certain viewpoints, we engage in discussion in order to test and challenge ideas and explore moral and ethical standpoints as part of our practice and artistic freedom.

3.2 The right to freedom of speech and artistic expression is however, not absolute. Freedom of expression may not be exercised if in so doing it breaks the law or breaches the rights of others, such as if its expression is unlawfully discriminatory or threatens others' safety or freedom of expression. Membership of the Mountview community and permission to use its premises is predicated upon acceptance of these principles.

3.3 Freedom of expression within the constraints of the law is a right for speakers and audience members alike. Any action that denies speakers or audience members this, such as verbal or physical intimidation or violence, is forbidden. Non-violent disagreement or protest is a part of debate, providing it does not deny an individual their freedom of expression within the constraints of the law.

4. Approval of Events

4.1 Events or activities hosted or organised by Mountview are subject to an approval process.

4.2 An event will not be approved to proceed if:

- there are reasonable grounds for believing that the speaker or other persons at the event will incite others to commit criminal acts, such as acts of violence and/or the incitement of racial or religious hatred.
- there are reasonable grounds for believing that opinions may be expressed in a way that is contrary to the law.
- the event appears to be in direct support of an organisation that is unlawful or proscribed. For Proscribed Terrorist Groups see [gov.uk](https://www.gov.uk).
- the event may cause a breach of the Terrorism Act 2006 including the encouragement or inducement to, or glorification of the commission, preparation or instigation of acts of terrorism or disseminating terrorist publications.
- the event is likely to contravene health and safety legislation, or cause a breach of the peace, or cause a public order offence.
- the scale or nature of the event is demonstrably unsuitable for Mountview's facilities or is likely to disrupt its other activities.

A full copy of Mountview's Free Speech Code of Practice is available on the website.