

ITALIA CONTI

Freedom of Speech Policy and Code of Practice

Policy Introduction

This policy explains Italia Conti's approach to freedom of speech within the law and academic freedom.

Students should read this policy if a concern involves speech, teaching, discussion, course material, artistic content, rehearsal material, performance work, debate, external speakers, events or other expressive activity.

Italia Conti will address harassment and sexual misconduct in a way that is consistent with lawful freedom of speech and academic freedom. The fact that speech, artistic work or course material is challenging, controversial, upsetting or offensive does not automatically mean that it is harassment. However, unlawful harassment, incitement to hatred or violence, or other unlawful conduct is not protected.

This policy should be read alongside the Single Comprehensive Source and any relevant conduct, harassment, safeguarding or disciplinary policy.

Version control and archive note

This is the reference policy and code of practice that was most up to date at the time of publication of Italia Conti's Single Comprehensive Source of Information for OfS Condition E6: Harassment and Sexual Misconduct.

This document will be reviewed and updated in line with its normal policy review cycle. Where a newer version is approved, the Single Comprehensive Source and linked policy folder will be updated accordingly.

Archived copies of previous versions of this policy and the 'Preventing and Addressing Harassment, Sexual Misconduct and Violence' guide are available [here](#).

Published to website 16/06/2026

If you or someone else is in immediate danger, call 999

For support contact wellbeing@italiaconti.co.uk

ITALIA CONTI

Freedom of Speech Policy & Code of Practice

Version	2526-1.1
Prepared by:	Head of Quality Assurance
Reviewed by:	Policy Steering Group
Approved by:	Policy Steering Group
Approval date:	5th May 2026
Next review due:	4th May 2028

Applicable Office for Students Conditions of Registration: E1; E2; B1; B2

The Board of Directors, as Governing Body, retains ultimate responsibility for issuing, maintaining and keeping up to date this Code and for securing freedom of speech within the law and academic freedom.

The Principal has delegated day-to-day oversight of this Code and is responsible for ensuring that material issues, restrictions, complaints, incidents, policy conflicts and regulatory risks are escalated to

AQB, SLT and/or the Board in accordance with Italia Conti's governance and risk escalation arrangements. This policy will be reviewed every two years and additionally where there are relevant legal, regulatory, or operational changes, or where issues arising from its operation indicate a need for earlier review.

ITALIA CONTI

1. Introduction	3
2. Definition of Freedom of Speech.....	3
3. Values Relating to Freedom of Speech	3
4. Purpose and Scope	4
5. Academic Freedom and Freedom of Speech	4
6. Italia Conti Equality and Diversity statement	5
7. The Legal Framework.....	5
8. Oversight.....	6
9. Ensuring Academic Freedom.....	6
10. Expectations of Conduct.....	7
11. Overview of Event(s) Management.....	7
12. Definition of “Event”	8
13. Hiring of Premises (Overview).....	8
14. Applications by Third Parties.....	9
15. Visiting speakers.....	9
16. Sharing details of external speakers.....	10
17. Arrangements and procedures.....	10
18. Prevent.....	11
19. Assisting the Authorities	12
20. Appeals	12
21. General conditions.....	13
22. Complaints	13
23. Publication, Training and Assurance.....	13
24. Linked Policies	14
Appendix 1: External Speaker Request Form	15
Appendix 2: External Speaker Request Model Form	17
Appendix 3: Risk Assessment for External Speakers	19
Appendix 4: Freedom of Expression.....	22

1. Introduction

This *Code of Practice* outlines the principles and procedures which govern Freedom of Speech on Italia Conti premises or at Italia Conti branded events which may take place off-site. It sets out how Italia Conti will secure freedom of speech within the law, promote the importance of free speech and academic freedom, and support open artistic, academic, and critical discourse in line with the Higher Education (Freedom of Speech) Act 2023 and OfS Regulatory Advice 24.¹

It also covers the exercise of Freedom of Speech in activities which form the teaching, learning and administrative processes on all our courses.

This *Policy and Code of Practice* also govern the application process for holding events which are **not** directly connected to Italia Conti's teaching and learning activities. Such applications may be made by staff, students or external groups and organisations.

This Code is the definitive institutional statement of Italia Conti's approach to freedom of speech within the law. Where another Italia Conti policy or procedure may affect freedom of speech or academic freedom, that policy or procedure must be read consistently with this Code. In cases of uncertainty, decision-makers must apply this Code and seek advice from the Principal or Chief Operating Officer, as appropriate, before taking action that may restrict lawful expression.

2. Definition of Freedom of Speech

Italia Conti follows the Office for Students (OfS) definition of Freedom of Speech:

*"We stand for the widest possible definition of freedom of speech: anything within the law. English law restricts speech in some ways. It prohibits harassment, or incitement to hatred. But it does give people the right to say things which may shock or offend. We want to make sure that students feel safe and are free to express themselves. There is no place for violence, intimidation, or criminality on university campuses. We also believe that censoring or marginalising some groups to protect others is not appropriate."*²

3. Values Relating to Freedom of Speech

Italia Conti values freedom of speech within the law as central to higher education, performance training, creative development, artistic challenge, and academic debate. This includes lawful speech that may be controversial, unpopular, shocking, disturbing, or offensive.

¹ <https://www.officeforstudents.org.uk/publications/regulatory-advice-24-guidance-related-to-freedom-of-speech/>

² <https://www.officeforstudents.org.uk/advice-and-guidance/student-wellbeing-and-protection/freedom-of-speech/>

Italia Conti's commitment to equality, diversity and inclusion will be applied consistently with this Code and will not be used to restrict lawful speech merely because it is controversial or offensive.

Italia Conti will not require staff, students, visiting speakers or applicants to endorse a particular viewpoint as a condition of study, employment, participation, or access to normal academic or artistic activity, except where required by law or by legitimate academic, professional, or safeguarding requirements.

4. Purpose and Scope

a) Purpose:

This *Policy and Code of Practice* apply to all staff, students, visitors (including visiting speakers, professionals, and external hirers of space), contractors, and anyone else in attendance at any meeting or other function that has been authorised to take place on Italia Conti premises. It also applies to activities which constitute the normal teaching and learning activities of the college. It is designed to provide the parameters within which Freedom of Speech can be exercised, and the process by which events which are not part of our normal teaching and learning activities can also be organised.

b) Scope:

Sections 5-8 of this *Policy and Code of Practice* outlines the principles under which freedom of speech can be expressed by staff and students whilst engaged in their authorised activities at Italia Conti.

The later sections of this *Policy and Code* set out the arrangements for events, visiting speakers, use of premises and related decision-making. However, this Code is not limited to external speakers or events. It also applies to Italia Conti decisions, policies and procedures that may directly or indirectly affect freedom of speech or academic freedom, including teaching and learning activity, curriculum design, assessment contexts, disciplinary matters, complaints, harassment and bullying processes, Prevent, IT and social media use, admissions, appointments, staff and student codes of conduct, and use of premises.

5. Academic Freedom and Freedom of Speech

Italia Conti is committed to upholding academic freedom and freedom of speech in its training, education, and research. For the purposes of this Code, academic freedom has its specific regulatory meaning in relation to academic staff. Students, visiting speakers, visiting professionals and external contributors are protected through freedom of speech within the law, but the statutory academic freedom protection applies primarily to academic staff. We are also committed to freedom of artistic and creative expression in the work studied, created, and presented by our students and staff. In doing so, we recognise that this can only be achieved through the respect for our core values, our anti discriminatory practices, and adherence to any laws which govern the freedom of expression.

6. Italia Conti Equality and Diversity statement³

Italia Conti is committed to providing equality of opportunity for all students and staff across and within all aspects of its activity, regardless of race, disability, religion or belief, sexual orientation, gender or gender reassignment, pregnancy, or maternity ('protected characteristics').

Italia Conti will not tolerate any form of discrimination or harassment. This includes working to support our staff and students against racism, sexism, homophobia, transphobia, ableism, ageism, islamophobia, antisemitism, and all other forms of discrimination.

In applying harassment, bullying, safeguarding, EDI, conduct or disciplinary policies, decision-makers must have particular regard to, and place significant weight on, the importance of freedom of speech within the law, academic freedom and tolerance for controversial views in an educational context. There is a rebuttable presumption that exposure to higher education course materials, and statements or views expressed as part of teaching, research, rehearsal, performance or discussion connected with course content, is unlikely to amount to harassment merely because it is offensive, shocking, disturbing or controversial.

7. The Legal Framework

Section 43 of the Education (No 2) Act 1986⁴ requires universities and other Higher Education providers to

"take such steps as are reasonably practicable to ensure that freedom of speech within the law is secured for their members, students, employees of the establishment and visiting speakers."

and in particular a duty

"to ensure, so far as is reasonably practicable, that the use of any premises of the [university] is not denied to any individual or body of persons on any ground connected with—

- (a) the beliefs or views of that individual or of any member of that body; or*
- (b) the policy or objectives of that body."*

The Act further requires that Higher Education Providers maintain a Freedom of Speech Code of Practice:

"The governing body of every such [university] shall, with a view to facilitating the discharge of the duty [set out] above in relation to that [university], issue and keep up to date a code of practice setting out —

- (a) the procedures to be followed by members, students, and employees of the establishment in connection with the organisation —*

³ Italia Conti Equality & Diversity Statement 2022.

⁴ <https://www.legislation.gov.uk/ukpga/1986/61/contents>

- (i) *of meetings which are to be held on premises of the establishment, and which fall within any class of meeting specified in the code; and*
- (ii) *(ii) of other activities which are to take place on those premises, and which fall within any class of activity so specified; and*

(b) the conduct required of such persons in connection with any such meeting or activity.”

The Higher Education and Research Act 2017⁵ requires that any college registered with the Office for Students (OfS) must follow the OfS’s regulatory framework which requires that an institution’s governing body takes “*search steps as are reasonably practicable to ensure that freedom of speech within the law is secured within the provider*”).

The Equality Act 2010⁶ identifies a set of ‘protected characteristics’ including age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership, and pregnancy and maternity. The expression of beliefs that amounts to unlawful harassment or discrimination does not constitute free speech within the law. In upholding its commitment to free speech, Italia Conti will fulfil its legal obligations under the Equality Act 2010.

Under the ‘Prevent Duty,’ Italia Conti has a duty to have “*due regard to*” *the need to prevent people from being drawn into terrorism*”⁷. Where concerns arise under this duty, Italia Conti will take the necessary steps to meet its obligations under this duty.

In carrying out its activities, Italia Conti also seeks to observe the spirit of Article 10: *Freedom of Expression* of the European Convention on Human Rights (**Appendix 3**). Note: Italia Conti is not legally bound by Article 10 as it is not a public body.

8. Oversight

The Principal, or their nominee will have oversight of the operation of this *Policy and Code of Practice*.

9. Ensuring Academic Freedom

9.1 Italia Conti is committed to providing an environment in which:

- Lawful speech—even if offensive, controversial, or artistically provocative—is protected.
- Staff and students can question, explore, perform, and challenge ideas without fear of academic or professional penalty; and
- Artistic works (scripts, choreography, devised pieces, improvisation, etc.) may explore themes that some may find uncomfortable, provided the expression remains lawful.

⁵ <https://www.legislation.gov.uk/ukpga/2017/29/contents/enacted>

⁶ <https://www.legislation.gov.uk/ukpga/2010/15/contents>

⁷ Section 26 of the Counterterrorism and Security Act 2015

9.2 Speech that is unlawful—including unlawful harassment or incitement to hatred or violence—is not protected.

9.3 No individual to whom this Policy and Code applies shall take any action (other than by reasonable dialogue with Italia Conti and peaceful persuasion) to prevent the occurrence of any academic activity (performance, rehearsal, class, tutorial, lecture, exhibition or other academic activity) because of the views held or expressed, or which may reasonably be likely to be expressed by a member of the Italia Conti community, whether staff or student. Concerns can be raised in the first instance with the individual's line manager (for members of staff) or with a Course Leader or the Head of Student Services (for students).

9.4 No individual to whom this Policy and Code applies shall take any action (other than by reasonable dialogue, and peaceful persuasion) to prevent any student or group of students from attending any academic activity required by, or properly associated with, the course of higher education for which they are registered because of the views or beliefs held or lawfully expressed by that student or group of students (whether on Italia Conti premises or outside of them), or because there is a reasonable belief that such views will likely be expressed. Where unlawful behaviour is identified on the part of one or more students, the Principal, Vice Principal or Head of Quality Assurance, or Head of Student Services, or another member of the Senior Management Team should be contacted in the first instance.

9.5 Italia Conti does not intend to deny use of its Premises to any outside person or organisation who or which is not a Member of Italia Conti ("Third Party"), or any Member of Italia Conti, seeking to host a Relevant Event within the scope of the law, by reason of the beliefs or views of that Third Party or Member of Italia Conti.

10. Expectations of Conduct

9.1 Members of the Italia Conti community must

- Allow others to speak freely within the law;
- Not attempt to obstruct or disrupt a lawful event, performance, lecture, or workshop;
- Engage respectfully in dialogue and critique, acknowledging the role of artistic exploration.

9.2 Where speech is likely to challenge, shock, or provoke (as may be common in performing arts), staff and students should be prepared for open discussion, rather than restrictions, unless a legal threshold is reached.

11. Overview of Event(s) Management

This *Policy and Code of Practice* apply to:

All Members of Italia Conti, and to any Third Party, and to any contractor and other person in attendance at, or otherwise connected with, any Relevant Event, and to the planning and management of any Relevant Event by

- (i) any Member of Italia Conti, in the case of any Relevant Event to be held elsewhere than on the Premises whether or not that Relevant Event forms an integral part of the normal artistic, academic, educational and/or administrative business of Italia Conti ("Normal School Business"), and in the case of any Relevant Event to be held on the Premises, where it does not form part of the Normal School Business; and
- (ii) any Third Party wherever that Relevant Event is to be held and whether or not it forms an integral part of the Normal School Business

The following procedures (including those contained in any appendices) are designed to:

- a) detail the arrangements for the application for and management of meetings and other activities on Italia Conti premises which are not an integral part of the academic, artistic, and/or administrative duties of the college. These are referred to as "event(s)" in this *Policy and Code of Practice*.
- b) identify the reasonable steps that need to be taken in order to ensure that freedom of speech is secured for any participants in such activities.
- c) specify the arrangements that are required for Italia Conti branded events which may involve external speakers and may take place off-site.

12. Definition of "Event"

"Event" refers to any activity that may require the hiring of Italia Conti premises, or an authorised Italia Conti branded activity which is held off-site. Such events do **not** form part of the normal teaching or learning activity of our courses.

13. Hiring of Premises (Overview)

Italia Conti may allow its premises to be hired from time to time by individuals or groups. This may include events that might be attended by members of the general public. All such applications are reviewed in accordance with our current policies. Italia Conti will not deny use of its premises to any individual or group on the basis of beliefs or values, except where they are not lawful under existing legislation or where restrictions are necessary, lawful and proportionate and no reasonably practicable steps are available to secure the speech within the law.

A formal request must be made in writing by any individuals or groups including external organisations) who wish to hire our premises, and information must be provided as outlined in **Appendix 1**. If required, an appropriate risk assessment must also be completed prior to any booking being confirmed. Standard hire charges and ordinary contractual terms may apply. Any additional security or risk-management costs will be considered case by case and must not be imposed in a way that denies use of premises, or makes use of premises materially less favourable, because of an individual's lawful ideas or opinions, or because of a body's lawful policy, objectives or members' ideas or opinions. Where additional conditions or costs are proposed, the reasons must be recorded.

Security costs will not be passed to an organiser except in exceptional circumstances. For this Code, exceptional circumstances exist only where additional security costs, calculated on a clear and itemised basis and applying the same threshold to all organisers. Any decision to pass on costs above that threshold must be based on objective, viewpoint-neutral safety or operational evidence, not on the ideas, opinions, policies or objectives of the speaker, organiser, body or likely audience. The organiser will be given a written calculation and reasons in sufficient time, where reasonably practicable, to request internal review before the Event.

Italia Conti exercises discretion when authorising events, which will be exercised in accordance with this Code of Practice and with particular regard to the importance of freedom of speech. Decisions will restrict speech only where such restrictions are necessary, lawful, and proportionate, and where no reasonably practicable steps are available to secure the speech.

Italia Conti's decision as to whether or not an Event may take place will be communicated to the applicant in writing in accordance with the timetable set out in Italia Conti's applicable procedures. Prior to receiving such permission no Relevant Event may be advertised or publicised in any way by the applicant, or by any other individual, without specific written permission so to do from the Designated Officer.

Attendees at events must behave in a lawful manner and in accordance with Italia Conti's *Codes of Conduct* for staff and students and must comply with any the terms of the hire agreement.

14. Applications by Third Parties

Any application by any Third Party to hold any Relevant Event referred to in section 11 above, shall be subject to the terms and conditions set out in Italia Conti's Standard Hire Agreement Form and its terms and conditions of hire and to the applicable provisions of this Code of Practice ("Hire Agreement").

The applicant must state whether the proposed Event is likely to give rise to considerations relating to freedom of speech and the need to prevent people from being drawn into terrorism (together "Freedom of Speech"), or to the safety of the speaker or others within the audience, and, if so, the reasons for that. This will inform any judgment concerning whether or not permission is given.

Any discretion to authorise, condition, refuse, postpone or cancel an Event must be exercised only in accordance with this Code, the statutory free speech duties, and recorded delegated authority.

15. Visiting speakers

Visiting speakers must be approved by Italia Conti prior to them being invited. This review is undertaken by our Wellbeing, Human Resources, and academic departments.

16. Sharing details of external speakers

Italia Conti may share information about external speakers with other educational establishments and/or other third parties (where legal and appropriate). Italia Conti will determine the legal basis for sharing such information under Article 6 of the General Data Protection Regulations 2018 before doing so and may take legal advice if appropriate.

17. Arrangements and procedures

Staff: where a member of staff wishes to hold a meeting or function that is not directly related to Italia Conti's normal artistic, academic or administrative business on our premises, or an event that is to be hosted on Italia Conti's name off-site, a written request should be made as far as possible in advance of the event to the Head of Student Services. Requests should include the information outlined in **Appendix 1**.

Students: where a student wishes to host an event that is not directly related to Italia Conti's normal artistic, academic, or administrative business on our premises, a written request should be made as far as possible in advance of the event to the Head of Student Services. Requests should include the information outlined in **Appendix 1**. Such requests are normally considered within a month of the formal application.

External organisations: where an external organisation wishes to host the event that is not directly linked to Italia Conti's normal artistic, academic, or administrative business on our premises, a written request should be made as far as possible in advance of the event to the Chief Operating Officer. Requests should include information outlined in **Appendix 1**.

A **risk assessment** of the event should accompany the request (using the guidance outlined in **Appendix 2**) and this will be reviewed by the Chief Operating Officer / Head of Student Services, and any other relevant department as necessary (as appropriate).

If a hire charge is to be made for the hiring of our premises, the hirer will have to agree to such **terms and conditions** as may be laid out in Italia Conti's **hire agreement**.

The staff member, student or third party making the request should indicate whether, in their opinion, the event that is to be held is likely to give rise to difficulties in relation to the freedom of speech, or to the safety of the speaker or members of the audience. This information will inform the process of deciding whether to give permission for the event to be held.

The Chief Operating Officer and Head of Student Services (as appropriate) will review the request to hold the event and any accompanying risk assessment. Where necessary, they may seek further advice or information in relation to the request, including consultation with members of the Senior Leadership Team or in seeking the advice of external bodies such as the police, the local Council, or legal professionals, etc.

In making any decision that may affect lawful speech, the decision-maker must record:

1. Whether the speech or activity appears to be within the law;
2. The reasonably practicable steps considered to enable the speech or activity to proceed;
3. Any conditions proposed and why they are necessary and proportionate;
4. Why any refusal or cancellation is unavoidable; and
5. How the importance of freedom of speech within the law has been given particular regard.

The starting point is that a lawful event should proceed. Refusal or cancellation is exceptional and must not be based solely on the speaker's lawful views, the controversial nature of the topic, anticipated protest, reputational concern, or the possibility that others may be offended.

Any final decision to refuse, cancel or indefinitely delay an Event, or to impose a significant restriction on lawful speech, must be taken by the Principal or Chief Operating Officer, or by another suitably senior person with express delegated authority. The written record must identify the decision-maker and the delegated authority relied on

Once the request has been fully reviewed, the staff member, student or third party making the request will receive one of the following outcomes:

- a) the request to hold the event will be allowed;
- b) the request to hold the event will be allowed (subject to conditions⁸);
- c) the request to hold the event will be pending (subject to a further fact-finding exercise);
- d) the request to hold the event will be denied.

Prior to a final decision being made on whether the event can be held, it may not be advertised without permission in writing from the Chief Operating Officer (or their nominee).

Where an Event is time-sensitive, Italia Conti will take reasonably practicable steps to consider and determine the request promptly, having particular regard to the importance of freedom of speech.

18. Prevent

Where information is received that an event may fall within the scope of the Prevent legislation, appropriate steps will be taken as outlined in our Prevent strategy.

⁸ These may include alteration of the timing of the event, security arrangements, restrictions on external attendance, the time that the event has to close, or any other reasonable conditions which are necessary for the event to be held safely.

Prevent considerations will be applied in a manner consistent with the duty to secure freedom of speech within the law and will not be used to restrict lawful expression where reasonably practicable steps can secure the Event.

19. Assisting the Authorities

Where a staff member, student or third party infringes or departs from this Code in such a way as to break the law, Italia Conti will be ready to assist the authorities in carrying out an investigation. Where the party concerned is a staff member or student, disciplinary action may be taken.

20. Appeals

Where a staff or student member has made a request to book an event and wishes to challenge any decision taken, an appeal may be made to the CEO or their nominee as soon as practical.

Third parties, including external organisations, do not have access to the student complaints or appeals procedures. However, where a third party considers that a decision under this Code has restricted freedom of speech within the law, they may request an internal review of that decision within five working days of being notified of the decision. The review will consider whether the decision was made in accordance with this Code, whether freedom of speech within the law was given particular regard, and whether reasonably practicable mitigations were considered. The review will be conducted by a person not involved in the original decision wherever practicable.

In considering appeals, the CEO, or their nominee, may seek the advice of a Freedom of Speech Panel⁹ which will normally comprise:

- another member of the senior leadership team who is not involved in the original decision-making process;
- two members of the teaching staff;
- a student representative.

A Freedom of Speech Panel must not include any individual who was involved in the decision to refuse the application to hold the particular Event in question, although, if necessary, the Panel may seek clarifications from such individuals in the interests of understanding the initial refusal.

The appeals process may be conducted through a face-to-face meeting or remotely using videoconferencing, emails, or correspondence.

⁹ Members of a Freedom of Speech Panel should not include individuals who have previously been involved in the process of determining permission before it reaches the appeal stage.

The CEO, or their nominee's, ruling shall be final. Students will be informed of their right to request a Completion of Procedures Letter in the event that they are dissatisfied with the final outcome.

21. General conditions

Failure to adhere to this *Code of Practice* by staff or student members of Italia Conti will result in disciplinary proceedings in accordance with our current disciplinary regulations.

If an External (Third Party) applicant provides false or fraudulent information to Italia Conti regarding any proposed or actual/agreed Event, this will void any previous agreement (whether verbal or in writing) regarding the holding of the Event.

Any sharing of information to third parties relating to an event application must be authorised by the Chief Operating Officer. Where necessary, the Data Protection Officer will be consulted if it requires the sharing of information that personally identifies individuals.

If any applicant, whether a Member of Italia Conti or an External applicant (Third Party), infringes or departs from this Code of Practice in such a way as to break the law, Italia Conti will be ready to assist the prosecuting authorities to implement the processes of law. Where the applicant is a Member of the Italia Conti community, disciplinary procedures may also be instigated.

Nothing in this Code of Practice shall detract from the responsibility and duty of any Member of Italia Conti or External (Third Party) to ensure so far as reasonably practicable that the provisions of Section 43 of the Education (No 2) Act 1986 are complied with.

Nothing in this *Code of Practice* shall prevent a senior manager of Italia Conti from taking such steps as may be necessary to ensure the safety of members of the Italia Conti community or other persons, or to safeguard the property and premises of Italia Conti.

22. Complaints

Decisions affecting freedom of speech will be capable of review to ensure they were being taken having particular regard to the importance of freedom of speech and in accordance with this Code of Practice.

Before a complaint or concern about speech is investigated, the receiving manager must undertake a prompt preliminary assessment of whether the matter concerns lawful expression of a viewpoint and whether it is vexatious, frivolous or obviously unmeritorious. The starting point is that lawful speech will not be investigated or disciplined merely because of the viewpoint expressed. Where an investigation proceeds, it must be concluded as rapidly as reasonably practicable and compatible with fairness, and the reasons for proceeding must be recorded.

Staff or students who believe their freedom of speech has been incorrectly curtailed can lodge a complaint in accordance with our *Complaints Policy*. Reviews of decisions affecting third-party applications will be carried out internally in accordance with this Code of Practice.

23. Publication, Training and Assurance

This Code, and a clear summary of how to access it, will be published prominently and without password restriction where reasonably practicable, so that it is accessible to students, staff, visiting speakers, external applicants, applicants for study and other prospective students. Italia Conti will bring this Code and the relevant statutory free speech provisions to the attention of students at least once each year, and to staff through induction or annual communication. The Code will be linked from student and staff handbooks, the website, and any policy or procedure that may affect freedom of speech or academic freedom.

Staff involved in decisions that may affect freedom of speech or academic freedom, including events, complaints, disciplinary matters, Prevent, EDI, harassment and bullying, curriculum, IT/social media, admissions, appointments and use of premises, will receive appropriate briefing or training on this Code.

Decisions refusing, restricting, conditioning, or cancelling events or other activities on freedom of speech grounds will be recorded. Themes, significant incidents, upheld complaints, and material risks will be reported to the Board or relevant committee as part of governance assurance.

The Board will receive an annual freedom of speech and academic freedom assurance report, normally through AQB or another approved reporting route. The report will include, as relevant, complaints and concerns received, restrictions, refusals, cancellations or conditions applied, event-related decisions, use-of-premises issues, Prevent-related decisions affecting speech, training and communication activity, policy conflicts identified, actions taken, and recommendations for improvement. Material incidents or regulatory risks must be escalated sooner.

24. Linked Policies

- Academic Freedom Code of Practice
- Safeguarding and Child Protection Policy
- Extremism and Anti-Radicalisation Policy
- Complaints Policy and Procedures
- Social Media Policy

This Policy and Code of Practice must be applied consistently with Italia Conti's Academic Freedom Code of Practice. Nothing in this policy is intended to restrict lawful freedom of speech or academic freedom. Where there is uncertainty, the Freedom of Speech Policy and Code of Practice is the definitive statement of Italia Conti's approach.

Appendix 1: External Speaker Request Form

Where an external speaker or function outside of the normal artistic, academic, and administrative business of Italia Conti takes place on its premises or on external premises in Italia Conti's name, the information below must be provided to the relevant designated officer at least **three weeks in advance**. Where an event is likely to require significant external liaison, security planning, safeguarding consideration or complex risk assessment, organisers are encouraged to submit the request six weeks in advance where practicable. Late requests will not be rejected solely because they are late; they will be considered promptly and may proceed where reasonably practicable steps can still be taken to secure lawful speech and manage any risks.

Designated officers:

Staff Events:	Chief Operating Officer/ Head of Student Services
Student Events:	Head of Student Services
External Hires:	Chief Operating Officer/ Head of Student Services

Information required (see form in Appendix 1a)

- 1 Date, time and exact place of the meeting or function, including precise timing on expected arrival and departure of speakers.
- 2 Name of any speaker(s) or likely alternative speaker(s).
- 3 Subject/nature of the meeting/event.
- 4 Draft copy of any proposed notice, leaflet, or other advertising material.
- 5 Name, address, email address and telephone number of the Italia Conti staff member or student, or external body organising the meeting or function and their status within the organising group.
- 6 Whether the audience may include persons who are not members of the Italia Conti and whether the event is open to the general public.
- 7 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.
- 8 Arrangements for chairing the meeting or function.
- 9 Whether the speaker has been refused permission to speak at Italia Conti in the past.
- 10 Whether the speaker is known to be controversial, including in relation to their reputation, political views, or religious views (this is not an exhaustive list).

- 11 Whether the event is likely to give rise to considerations over the freedom of speech and the need to prevent people from being drawn into terrorism.
- 12 Whether the event is likely to give rise to concerns over the safety of the speaker or the audience.
- 13 Whether the speaker is likely to attract high media attention.
- 14 Outcome of the risk assessment (see **Appendix 2**).

Appendix 2: External Speaker Request Model Form

Italia Conti External Speaker Request Model Form

This form should be completed for any event where an external speaker is to be invited. The form should be submitted to the COO, or designated office requests should normally be submitted at least three weeks before the proposed event. Where an event is likely to require significant external liaison, security planning, safeguarding consideration or complex risk assessment, organisers are encouraged to submit the request six weeks in advance where practicable. Late requests will not be rejected solely because they are late; they will be considered promptly and may proceed where reasonably practicable steps can still be taken to secure lawful speech and manage any risks.

Model Form

Event organiser name	
Email address and contact telephone number	
Date of event Start time: End time:	
Title of event	
Subject and content of the event	
The event is for:	Staff: Yes/No Staff and Students: Yes/No Staff, students and general public Yes/No <i>(delete as appropriate)</i>
Speaker's name	
Speaker's email and website (if applicable)	
Does the external speaker have affiliation to any political or religious groups?	Yes/No <i>(delete as appropriate)</i>

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Has the Speaker been refused permission to speak at Italia Conti in the past?	Yes/No (<i>delete as appropriate</i>)
Is the event likely to give rise to considerations over the freedom of speech and the need to prevent people from being drawn into terrorism.	Yes/No (<i>delete as appropriate</i>)
Draft copy of any proposed notice, leaflet or other advertising material seen / attached?	Yes/No (<i>delete as appropriate</i>)

Signature of event organiser:

Date submitted:

To be completed by COO or designate:

Approved with no conditions: ☐

Approved with conditions: ☐

Not approved: ☐

Notes

Signed:

Date:

Appendix 3: Risk Assessment for External Speakers

For the avoidance of doubt, the controversial nature of a speaker, their views, the likelihood of protest, reputational impact, adverse media attention, or a speaker having been refused permission at another institution are not, in themselves, grounds for refusing an Event. Risk assessment under this Appendix concerns lawful safety, security, and operational considerations only and must be applied consistently with the duty to secure freedom of speech within the law.

The starting point is that an Event involving lawful speech should proceed. The purpose of this risk assessment is to identify reasonably practicable steps that would allow the Event to proceed safely and lawfully. Refusal, cancellation, or significant restriction should be exceptional and must be justified by evidence that no reasonably practicable mitigation is available.

Decision-makers must assess:

1. Whether the proposed speech or activity is within the law.
2. Whether there is credible, specific, and evidenced risk of unlawful conduct, serious disruption, harm to individuals, damage to property, safeguarding concern, or inability to operate the Event safely.
3. What reasonably practicable steps could allow the Event to proceed.
4. Whether any proposed conditions are necessary, proportionate, and connected to the identified risk.
5. Whether refusal or cancellation is unavoidable because the risk cannot reasonably be mitigated.

Factors that must not be treated as risks in themselves

The following may prompt further consideration, but must not, by themselves, justify refusal, cancellation, or restriction:

- the speaker's lawful views;
- the lawful subject matter of the Event;
- the fact that the speaker or topic is controversial, unpopular, offensive, or provocative;
- anticipated disagreement, protest, or criticism;
- reputational concern or media interest;
- previous refusal by another institution, unless the reasons are known, evidenced and directly relevant to safety, security, safeguarding, legal or operational risk.

Evidence to consider:

Decision-makers should base the assessment on evidence, not assumption. Relevant evidence may include:

- information provided by the organiser;

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- expected audience size and composition;
- venue capacity and layout;
- access, stewarding and evacuation arrangements;
- whether the Event is open to the public;
- credible information about planned disruption or unlawful conduct;
- safeguarding or welfare considerations;
- advice from relevant internal staff;
- where necessary and proportionate, advice from police, local authority, Prevent leads, legal advisers, or venue/security professionals.

Rating	Description	Usual response
Low 1	No credible evidence of safety, security, safeguarding, legal or operational risk beyond normal event management.	Event should normally proceed with standard arrangements.
Acceptable 2	Minor operational considerations are identified, such as larger attendance, room suitability, access control, or chairing arrangements. No credible evidence of serious disruption or harm.	Event should proceed with ordinary proportionate controls, such as confirmed chairing, attendance arrangements, or room management.
Moderate 3-4	Credible information indicates a possible need for additional planning to manage safety, security, safeguarding, welfare, or operational issues. The Event remains capable of proceeding with reasonable mitigations.	Event should proceed subject to proportionate conditions, such as stewarding, ticketing, adjusted venue, clear chairing, joining instructions, support arrangements or agreed conduct expectations.
Substantial 6	Credible and specific evidence indicates a heightened risk of unlawful disruption, harm to individuals, damage to property, serious welfare impact, or significant operational difficulty. The risk appears capable of mitigation if additional controls are put in place.	Escalate to the Chief Operating Officer, Head of Student Services and/or Principal. Event should proceed only if proportionate mitigations can reasonably secure lawful speech and safety. Reasons and mitigations must be recorded.

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Extreme 9	Credible and specific evidence indicates an imminent or serious risk of unlawful conduct, serious harm, serious disorder, or inability to operate the Event safely, and no reasonably practicable mitigation has yet been identified.	Urgent escalation to the Principal or nominee. Consider whether alternative arrangements, such as a different room, restricted access, online delivery, postponement for safety planning, additional security or revised timing, would allow the Event to proceed. Refusal or cancellation should be used only where no reasonably practicable mitigation is available.
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		SEVERITY			
LIKELIHOOD		Low risk 1	Medium risk 2	High risk 3	
	Unlikely 1	Low 1	Acceptable 2	Moderate 3	
	Likely 2	Acceptable 2	Moderate 4	Substantial 6	
	Highly likely 3	Moderate 3	Substantial 6	Extreme 9	

Calculating risk: multiply the *severity* of the risk if something occurs by the *likelihood* that it will happen using a 1-3 scale for likelihood x 1-3 scale for severity.

Appendix 4: Freedom of Expression

Article 10: Freedom of Expression

1. Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This Article shall not prevent States from requiring the licensing of broadcasting, television, or cinema enterprises.

2. The exercise of these freedoms, since it carries with it duties and responsibilities, 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.

Referenced in the Human Rights Act 1998

<https://www.legislation.gov.uk/ukpga/1998/42/schedule/1/part/I/chapter/9>

Update Log

Date	Actions
24.04.26	Reviewed to ensure that the updated Code of Practice for Academic Freedom complies with OfS conditions of registration E1 and E2; specifically: - Clarification of discretion for authorising an event (sections 12,13) - Insertion of override statement at the top of Appendix 2 to avoid any unintentional risk of perceived institutional bias - Update to section 17 to demonstrate that Prevent considerations is interpreted through the free speech duty, (OfS expectation). - Clarification of timelines and opportunity for review of decisions (appeal) added. - Updated risk table added

END