Performance Ethics Policy

Introduction

The Royal Conservatoire of Scotland is committed to the maintenance of the highest ethical standards in respect of performances carried out in its name, or with its support.

The Royal Conservatoire of Scotland's Ethics Committee maintains an oversight of all work carried out under the auspices of the Royal Conservatoire of Scotland. This includes performances led by both staff and students. In this regard, the Ethics Committee reports to the Academic Board, which has the overall responsibility for the academic work of the Royal Conservatoire of Scotland. The Director of Research and Engagement is the designated officer with responsibility for ethical review on behalf of the Royal Conservatoire of Scotland and in that capacity, they report to the Academic Board. The Director of Research and Engagement will chair the Ethics Committee which, itself, will keep ethical issues under continuous review and will report to the Academic Board as required.

Underlying principles

Since shared human experience lies at the heart of all performance, all performances necessarily have an ethical dimension, no matter their content or context. Due regard must be given to the wellbeing, comfort, privacy and convenience of everyone involved in a performance: audience, performers, authors, directors and production team. All of these groups are **participants** in the performance.

The first premise of an ethical approach is **respect between the participants**: those involved in leading the performance must therefore observe and protect the rights of all participants, and act systematically to permit participants to exercise those rights.

The conservatoire context

The relationships between the different participants in a performance may be complex, particularly in the conservatoire context, where performances may involve students being directed by teaching staff, or visiting professionals with whom they might hope to work in the future. It is therefore vital that those leading the performance take account of the potentially complex power relationships between participants as they consider how to ensure that the rights of all involved are upheld. **This policy therefore gives particular attention to the rights of audiences and performers, but it applies equally to the production team.**

In the conservatoire context, special consideration should be given to the age of performance participants – both performers and audiences. Younger student performers (for example, first year Modern Ballet students, or pre-HE students) and performances aimed at a younger audience will need special consideration; the continuing development of the minds of young adults who are not otherwise considered 'vulnerable' should also be borne in mind.

Traditions of performance

In addition, the various traditions of performance have different expectations for the content and presentation of a performance, meaning that an ethical approach to performance also must consider carefully the reasonable expectations of all those involved. For example, audiences for some work may expect to experience a degree of emotional discomfort that would be considered intolerable in other performance circumstances. In all cases, however, an ethical approach to performance must be based on acting systematically to ensure that all participants in a performance have the information they need to exercise their rights.

The Royal Conservatoire's approach to the ethics of performance

The Royal Conservatoire believes that an ethical approach should underpin all decisions related to the staging of a performance. For this reason, this policy sets out protocols that devolve decision-making as far as possible to those directly involved in an individual performance: performance making should take place within an ethos of mutual respect and understanding. At the same time, this policy also sets out the procedure of appeal that can be used by a participant in a performance who has ethical concerns about any aspect of a performance.

The Conservatoire also has a well-established policy on Dignity at Work and Study (DWS), which aims to provide an environment free from harassment and bullying and which sets out a mechanism for dealing with instances of such behaviour. The lead person for performance must be aware of and apply the DWS as appropriate, knowing the intersections and distinctions between the policies.

Definition of Key Roles

Participant – anyone involved in the performance, including (but not necessarily limited to):

- Audience
- Performers
- Authors or Composers
- Directors
- Production team (both staff and students)
- Technical support

Lead Person for the Performance – the Royal Conservatoire member of staff with overall responsibility for the performance. This person will have sufficient seniority to oversee production decisions and take executive action where necessary.

An Ethical Approach to Performance

In this section, the expectations generated by the Royal Conservatoire's ethical approach to performance are set out and examined.

Informed consent

An ethical approach to performance requires that participants, as a minimum, be properly informed, consent freely to their participation, and be fully protected in regard to safety, to the limits of best practice. In the context of a performance, this means that participants

should have sufficient information available to them at an appropriate time to judge whether they wish to engage with the performance. They must also be able to exercise their right to disengage from the performance at any time.

For audiences, informed consent means that information about elements of the performance that might have an adverse impact on them should be available before the performance begins. Such information should be detailed enough for the individual audience member to make a judgement in advance of the performance, and while this may be presented in general terms so as not to reveal details of the performance, such information should not be withheld on the basis of 'dramatic effect'. The information provided will relate to elements of the performance that may have an impact on:

- wellbeing (such as strobe lighting, loud noises, etc.)
- physical or emotional comfort (such as themes that some might reasonably find distressing, or language that some might reasonably find offensive)
- privacy (such as video recording of audience reactions, or participatory elements)
- convenience (such as unusual access arrangements, extended duration etc.)

The **lead person** for each performance has overall responsibility for ensuring that this information is appropriate, complete, and provided timeously to audiences.

For student performers, informed consent means that the expectations for the performance should be made clear early in the process of preparation, and any creative or directorial decisions that might impact negatively on the performer will be discussed openly, with a clear protocol for resolving any difficulties that arise. The checklist for audiences above may be used as a starting point. The **lead person** for the performance is responsible for establishing an informal protocol that will ensure that, whatever the creative or directorial decisions associated with a performance, an individual student performer who feels that they do not wish to participate in the performance can have their concerns addressed appropriately. Authors, directors and production team will similarly have access to an informal protocol, established by the **lead person** for the performance, for resolving any concerns about creative, directorial, technical or managerial decisions that impact upon their wellbeing, physical or emotional comfort, privacy or convenience. This is that key ethical requirement: that those involved in leading the performance, embodied by the **lead person**, must take specific steps to ensure that all participants can exercise their rights.

Whenever a participant feels that their concerns have not been addressed via the informal protocol, they will have the right of direct appeal to the Director of the School that is organizing or sponsoring the performance. If the participant is dissatisfied with the outcome of that appeal, a final judgment on the case will be made by the Royal Conservatoire's Ethics Committee.

Sensitive material

Some performances will require special attention because they directly address sensitive or challenging issues. The judgement as to what constitutes sensitive or challenging material rests, in the first instance, with the **lead person** for the performance who will, in such cases, take special care to ensure that all participants receive high-quality information to allow informed consent to take place.

It is recommended that, where the performance directly addresses sensitive or challenging issues, the **lead person** seeks explicit written consent for participation from performers, directors and the production team. Clear signposting to further information and support for those who might be especially affected by such a performance should also be made clearly available to all participants (audience, performers, directors, production team and technical support).

When a performance deals with particularly challenging or sensitive material, the **lead person** may seek guidance and approval from the RCS Ethics Committee. It should be noted that an ethical approach, and the granting of ethical approval, is independent of a judgement of approval from a given moral, political or religious perspective, or from considerations of perceived taste. In reaching a judgment about a particular performance, the Ethics Committee will therefore seek to ensure

1) That sufficient information is available to all participants to permit their informed consent
2) That, so far as can be ascertained, the handling of sensitive and/or challenging issues is appropriate to the context and intention of the performance.

The latter consideration inevitably involves issues of taste and aesthetics: by drawing upon the range of viewpoints held by its members, the deliberations of the Ethics Committee will seek to avoid particular moral, political or religious perspectives.

Appeals and complaints

Appeals

In the context of the ethics of performance, an **appeal** relates to a decision made in the course of preparing for a performance, and the process of appeal centres on ensuring that performances are underpinned by well-founded decisions by remedying any failures of process. Any participant who believes they have appropriate cause should, in the first instance, seek to resolve their concern with the lead person for the performance. After exhausting informal resolution with the lead person, a participant may appeal a decision made by the lead person by applying in writing to the Director of the school sponsoring the performance.

The only grounds for an appeal are that the appellant has been unreasonably denied the opportunity to exercise their rights in respect of their contribution to the performance. The appeal will normally relate to one or more of the following areas:

a. Wellbeing
b. Comfort (physical and/or emotional)
c. Privacy
d. Convenience

The statement of appeal must include:

1) A brief statement of the decision being appealed
2) Specific evidence that the informal route has been exhausted
3) Specific grounds for appeal

In the event that the appellant remains unsatisfied by the judgement of the Director of the school sponsoring the performance, a final direct appeal may be made to the Convener of the Ethics Committee, who will convene a meeting of the Committee to consider the case. In reaching a decision, the Committee will consider any outcomes of the informal process, the initial appeal and the response from the Director, and may draw evidence from anyone participating in the performance.

Complaints

In the context of the ethics of performance, a **complaint** relates to a past event or experience that is considered by the complainant not to meet reasonable expectations for an ethical approach to performance. Any participant who believes they have appropriate cause should, in the first instance, seek to resolve their complaint informally with the **lead person** for the performance. If the complainant is not satisfied with the response provided, they may raise the complaint via the Conservatoire's Complaints Procedure.