

LAINE

THEATRE ARTS

Policies

SEXUAL MISCONDUCT POLICY

1. INTRODUCTION

- 1.1 Laine Theatre Arts is committed to providing a safe and secure environment that promotes equality, diversity and inclusion for all students, employees and visitors. We strive to maintain a culture of prevention through appropriate and consistent education and training.
- 1.2 The College takes reports of sexual misconduct very seriously and considers it to be part of its broader safeguarding responsibilities. This policy is intended to provide all parties - survivors, their supporters, and alleged perpetrators of sexual misconduct - with information about support available, reporting options, and the College's response procedures.
- 1.3 This policy encompasses all aspects of Sexual Misconduct including misuse of institutional power or issues of unequal relationships between students and staff. This is Laine Theatre Arts' single Comprehensive Source of Information (CSI) as required by OfS Condition E6. It is the authoritative document on harassment and sexual misconduct. Any other documents that address this subject matter are supplementary only and must be read in conjunction with this policy. In any conflict, this policy takes precedence.
- 1.4 If you are unsure about any aspect of this policy, you should contact andrealowde@laine-theatre-arts.co.uk
- 1.5 This policy should be read in conjunction with the *Student Code of Conduct*, the *Non-Academic Misconduct Policy*, and the *Safeguarding Policy*.
- 1.6 Where a report involves a member of staff, any investigation and disciplinary action will be managed in accordance with this Policy and the relevant Staff Disciplinary Procedure. Where a report involves a student, the relevant Student Conduct, Non-Academic Misconduct or disciplinary procedures will apply as detailed within this policy below.

1.7 INTERACTION WITH THE SAFEGUARDING POLICY

Concerns involving sexual harassment, sexual violence, or other forms of sexual misconduct will normally be managed under this Policy, which sets out the procedures for reporting, investigation, support, and disciplinary action.

Where such concerns also indicate an immediate or ongoing risk to a child or adult at risk, the Safeguarding Policy will apply in parallel. In these circumstances, safeguarding actions will take precedence in relation to risk assessment, protective measures, and any necessary referrals to external agencies, including where there is a duty to act to prevent harm or ensure immediate safety.

The Safeguarding Team and those responsible for operating Sexual Misconduct processes will work collaboratively to ensure appropriate triage, coordinated support for those involved, and effective communication between relevant officers. Information will be shared on a strict need-to-know basis and in accordance with UK GDPR and confidentiality requirements, ensuring that both welfare and procedural fairness are maintained throughout.

The process outlined within this document takes precedence over any other policy in terms of a sexual misconduct disclosure and the investigative/disciplinary process which will follow.

2. INTERSECTIONALITY AND DIVERSE STUDENT NEEDS

- 2.1 The College recognises that experiences of sexual misconduct can be influenced by various intersecting factors, including but not limited to race, ethnicity, gender identity, sexual orientation, disability, religion, and socioeconomic background. We are committed to ensuring that our prevention, reporting, and support mechanisms are accessible and appropriate for all students, acknowledging the unique challenges faced by different groups.

2.2 Our approach to addressing sexual misconduct will be continuously reviewed and adapted to meet the diverse needs of our student body. This includes providing tailored support services, culturally sensitive training for staff, and inclusive awareness campaigns that reflect the experiences of all students. We will actively seek input from diverse student groups to inform our policies and practices, ensuring that our response to sexual misconduct is equitable and effective for all members of our community.

Who this policy covers:

- All students registered on higher and further education courses at Laine Theatre Arts
- All staff (employees and contractors) of the College
- Third parties in connection with College activities

What this policy covers:

- Harassment and sexual misconduct that occurs on College premises or in connection with College activities
- Incidents that occur off-premises, including on social media, during placements, or social events connected with the College
- Conduct of students towards students, staff towards students, and students towards staff

3. WHAT IS SEXUAL MISCONDUCT?

3.1 For the purposes of this policy, sexual misconduct is defined as any unwanted conduct of a sexual nature. This includes, but is not limited to:

- Sexual harassment, as defined by Section 26 (2) of the *Equality Act 2010* and Section 1 of the *Protection from Harassment Act 1997*.
- Harassment also includes conduct prohibited under Section 1 of the *Protection from Harassment Act 1997*, which provides that a person must not pursue a course of conduct which amounts to harassment of another, and

which they know or ought to know amounts to harassment. This definition does not require the conduct to be related to a protected characteristic and therefore extends protection to all students and staff regardless of whether the behaviour is connected to any characteristic protected under the Equality Act 2010.

- Unwanted behaviour or advances that create an environment where a person feels intimidated, threatened, degraded, humiliated, or offended. This can include, but is not limited to:
 - Inappropriate or unwelcome touching, groping, or physical contact.
 - Sexually suggestive comments, jokes, or innuendos.
 - Displaying sexually explicit materials.
 - Persistent unwanted sexual attention or propositions.
 - Sexual gestures or leering.
 - Intimidation, or promising resources or benefits in return for sexual favours.
- Sexual Assault, as defined by the Sexual Offences Act 2003.
- Rape, as defined by the Sexual Offences Act 2003.
- Distributing (or threatening to distribute) private and personal explicit images or video footage of an individual without their consent, as defined by the Criminal Justice and Courts Act 2015.

3.2 Sexual misconduct can occur:

- In person, by letter, telephone, text, email or other electronic means and/or social media.
- Between individuals of any gender identity or sexual orientation.
- By someone known to the victim or by a stranger.
- In any location on or off the College campus.

4. DEFINITIONS

4.1 For the purposes of this policy the College applies the following definitions:

- **Disclosure:** When someone tells a staff member or peer about an incident but may not wish to report it formally.
- **Report:** A formal account of an incident made to a College staff member, which may lead to investigation and potential disciplinary action.
- **Reporting Party:** The person disclosing or reporting the incident.
- **Responding Party:** The person accused of the misconduct.
- **The Head of Students or the Principal Safeguarding Officer:** A specially trained staff member who provides support to students experiencing sexual misconduct.
- **College Campus:** The buildings where College-led teaching, rehearsals and other course-related activities take place – East Street Studios, the Performance Centre, the High Street Studios, St Martin's Church Hall, Epsom Baptist Church and Parkside House.

5. GENERAL PRINCIPLES

- 5.1 The College is committed to creating a safe environment in which the rights and dignity of all members of the College community are valued and respected, in line with the OfS Condition of Registration.
- 5.2 We recognise the significant impact that sexual misconduct can have on individuals, their supporters and the community. We acknowledge the potential harmful effects on studies and employment, regardless of when the experience occurred.
- 5.3 We will promote a culture in which any incident of sexual misconduct will not be tolerated and will be actively challenged.
- 5.4 All disclosures of sexual misconduct will be treated confidentially and with sensitivity. They will be considered through our internal disciplinary procedures as outlined in the Sexual Misconduct Procedure, the Staff and Student Code of Conduct, and the Non-Academic Misconduct Policy.

- 5.5 We will actively respond to all reports of sexual misconduct and will respect the rights of the individual disclosing an incident to choose how to take the matter forward.
- 5.6 The College will not tolerate victimisation, retaliation, intimidation or adverse treatment of any individual who makes a disclosure or report, participates in an investigation, acts as a witness, or supports another person involved in a sexual misconduct matter. Such behaviour may itself result in disciplinary action.
- 5.7 We believe that no person should suffer the effects of sexual misconduct alone, and we will ensure that there is dedicated specialist support for all individuals involved.
- 5.8 All College staff and visiting teachers and artists will be made aware of this policy and supporting Sexual Misconduct Procedure. They will be offered training appropriate to their role, in line with the OfS Condition of Registration.
- 5.9 We will work with our awarding bodies, and local partners and organisations to support our work in this area. In working with external experts, we seek to continuously improve our policies and practices according to sector guidance and our own experiences of cases.

6. INSTITUTIONAL DUTIES

- 6.1 The Laine Theatre Arts Board of Directors has overall responsibility for safeguarding, which includes sexual misconduct, and will appoint a member of the Board as its Safeguarding Lead who will work closely with the Executive Safeguarding Lead and represent the Board of Directors on the College's Safeguarding Committee.
- 6.2 The Academic Director (Executive Safeguarding Lead) will oversee policy development and implementation as part of their broader safeguarding responsibilities.

- 6.3 Laine Theatre Arts, at an executive leadership level, will actively engage with other partners including the police, Epsom and Ewell Council, the University of Portsmouth, Trinity College London, and other external agencies as appropriate.
- 6.4 The College will make use of internal mechanisms to share information about sexual misconduct across the institution including but not limited to the Virtual Learning Environment, the Student Guide and Staff Handbooks, notice boards and the website.
- 6.5 The College will ensure that directors and staff will be provided with appropriate and regular training on sexual misconduct and consent, specific to their needs in accordance with statutory requirements.
- 6.6 The College will ensure that staff and students are made aware of the process for reporting sexual misconduct incidents.
- 6.7 Staff and students may raise concerns regarding safeguarding failures, the handling of reports, or breaches of this policy through the College's reporting or whistleblowing arrangements without fear of detriment, victimisation or retaliation.
- 6.8 The College will ensure that all students receive sexual misconduct and consent awareness training during the annual induction process.
- 6.9 The College will work closely with elected student representatives on the Safeguarding Committee to develop, review and approve its *Sexual Misconduct Policy* and *Sexual Misconduct Procedure* and other related policies and processes.
- 6.10 The College will establish a safeguarding structure to ensure robust oversight and case monitoring:
- **Safeguarding Committee:** Oversees the development, review and implementation of policies and practices, reviews annual reports and advises

the Senior Management Committee on safeguarding matters. Meets quarterly.

- **Students of Concern Meeting:** Coordination of support to students of concern. Ongoing response / monitoring of specific concerns.

- 6.11 The College will ensure that processes and procedures are in place for relevant recruitment checks and that these are conducted for relevant roles including but not limited to: Enhanced DBS checks where lawfully permitted, Certificates of Good Conduct, Teacher Prohibition Orders, safeguarding aspects of Fitness to Practice procedures, and that any issues arising from these checks are resolved before engagement with students or pupils commences.
- 6.12 If a member of the College community is a survivor of sexual misconduct, the College will take all reasonable steps to ensure their physical safety and facilitate their access to appropriate specialist support. We will show regard to their feelings and respect their decisions. We actively encourage and support individuals affected to come forward, to disclose with confidence and seek help.
- 6.13 Where the Reporting Party or Responding Party is on a placement as part of their studies, the relevant Head of Student Services, as first point of contact, will liaise with the placement provider to assess whether the student can safely continue on placement during the investigation. The College will conduct its own risk assessment, taking into account the placement provider's decision. Responsibilities and information sharing between the College and placement provider will be agreed upon in advance.
- 6.14 The College will manage expectations and possible outcomes for all parties involved in sexual misconduct cases.
- 6.15 The College will ensure all students who have experienced sexual misconduct have equitable access and support to both external and internal specialist support services.

- 6.16 Where allegations involve contractors, freelance staff, visiting artists, placement providers or other third parties engaged in College activities, the College may take appropriate contractual, safeguarding or professional action in addition to any disciplinary or investigatory process.
- 6.17 The College will ensure there is a clearly defined discipline procedure for handling sexual misconduct cases for staff and students, set out in this policy and contained within the *Non-Academic Misconduct Policy* in line with OfS guidance.

7. STUDENT TRAINING AND INDUCTION

- 7.1 All new students will receive mandatory training at induction covering:
- What constitutes harassment and sexual misconduct
 - The College's expectations of student behaviour
 - How to report an incident or make a disclosure
 - Sources of support available
- 7.2 Returning students will receive refresher information at the start of each academic year. Training content will be reviewed annually and delivered by persons with appropriate expertise.

8. STAFF TRAINING

- 8.1 All staff will undertake mandatory training that includes:
- Understanding harassment and sexual misconduct as defined in this policy
 - Recognising potential incidents and responding to disclosures appropriately
 - The College's reporting and investigation procedures
 - Appropriate professional boundaries in relationships with students
 - Freedom of speech considerations in an educational context

- 8.2 Staff with responsibility for receiving disclosures, conducting investigations, or making decisions in disciplinary cases will receive additional specialist training. Training will be mandatory, repeated at least every two years, and its effectiveness evaluated.

THE COLLEGE WILL:

- Publish and actively promote this policy to all students and staff at least once each academic year in writing
- Include a clear statement about this policy and how to access it in the Student Guide.
- Collect and monitor data on incidents reported, outcomes, and student experience in order to evaluate the effectiveness of our approach
- Review this policy annually and update as necessary in response to data and feedback
- Consult students, including through the Student Voice committee, when reviewing this policy

9. CONSENT

- 9.1 Consent represents the cornerstone of respectful and healthy intimate relationships. We strongly encourage members of our community to communicate openly, honestly and clearly about their actions, wishes and intentions, and to do so before engaging in intimate conduct.
- 9.2 Consent is defined as where a person has the freedom and capacity to make the choice whether or not to agree to the sexual activity free from any pressure. This can be considered in two stages:

Stage 1: Whether a person had the capacity (i.e. the age and understanding) to make a choice about whether or not to take part in the sexual activity at the time in question.

Stage 2: Whether they were in a position to make that choice freely and were not constrained in any way. This is particularly relevant when an individual is intoxicated by alcohol or affected by drugs.

- 9.3 Assuming that the person had both the freedom and capacity to consent, the crucial question is whether they agreed to the activity by choice. Consent can be withdrawn at any point.
- 9.4 Consent must be voluntarily given and may not be valid if a person is being subjected to actions or behaviours that elicit emotional or psychological pressure, intimidation, or fear.
- 9.5 Consent to one form of sexual activity does not imply consent to another. Each activity requires its own freely given and ongoing consent.

10. STAFF AND STUDENT PERSONAL RELATIONSHIPS

- 10.1 Laine Theatre Arts prohibits intimate or close personal relationships between staff (including freelance teaching staff and visiting artists) and students. Laine Theatre Arts recognises that intimate personal relationships between staff members and students create a significant risk of conflict of interest and abuse of power. The College adopts the following position:
 - Any relevant staff member is prohibited from entering into an intimate personal relationship with a student over whom they have direct academic or professional responsibility.
 - Any relevant staff member who enters into such a relationship in breach of this prohibition will be subject to the College's disciplinary procedure, up to and including dismissal.

Exception: Relationships that existed before the date this policy came into force (1 August 2025), or before the staff member became a relevant staff member in relation to that student, are excluded. Any such pre-existing relationship must be declared to the Principal immediately.

- 10.2 Any student involved in such a relationship will **not** be penalised by the College for that involvement and is protected from retaliation by the staff member if they report any concern. Students may report concerns under this policy regardless of whether the relationship was permitted.
- 10.3 The Staff and Students Personal Relationship policy must be read by all staff and students and the form in appendix 1, also contained at the end of this policy, must be completed and handed to either the Head of Students (students) and the Head of HR (staff) if any kind of personal relationship exists between staff and students or between staff members. Non-compliance with this disclosure could result in disciplinary action being taken against you, in line with the process outlined within this policy.

11. SUPPORT FOR REPORTING AND RESPONDING PARTIES

- 11.1 The College is committed to providing appropriate support to all individuals involved in an incident of harassment or sexual misconduct, including students, employees, contractors and other members of the College community.
- 11.2 Appropriate welfare, pastoral or professional support will be made available to staff involved in reports of sexual misconduct through the College's support arrangements.

SUPPORT AVAILABLE

Type of Support	Details
Personal / Pastoral Support	Access to a named pastoral support contact throughout any process. Students will not be left without a point of contact. Head of students Andrea Lowde: andrea.lowde@laine-theatre-arts.co.uk and Student Support Lead Ellie Johnson ellie.johnson@laine-theatre-arts.co.uk are positioned to support students in the first instance.

Counselling	The College can refer students to the College's counselling services. Jenny Mama is the LTA college councillor: jennymama333@gmail.com
Academic Support	Adjustments to attendance, assessment deadlines, course timetables or academic arrangements may be made for any student involved in an incident, where appropriate and requested. Applications for extenuating circumstances will be supported.
Sexual Assault Referral	Students who have experienced sexual misconduct will be signposted to the nearest Sexual Assault Referral Centre (SARC) and to specialist support organisations and should the misconduct warrant it, be advised to contact the police.
Safety Measures	Interim safety measures (such as timetable adjustments or temporary restrictions on access) may be put in place to protect a Reporting Party during an investigation.

TIMING OF SUPPORT

11.3 Support is available:

- Before any formal complaint or investigation begins
- Throughout any investigation or disciplinary process
- Following the conclusion of any process, regardless of outcome

Support is available whether or not a formal complaint is made, and whether or not the incident occurred on College premises.

SUPPORT FOR RESPONDING PARTY

11.4 The College acknowledges that individuals who are the subject of a complaint also require support. Students and staff who are the subject of a complaint will be:

- Informed promptly and clearly of the allegation against them
- Given the opportunity to respond to the allegation
- Provided with pastoral support during any process
- Treated fairly and without prejudgement

SUPPORT FOR WITNESSES

11.5 Witnesses who participate in any investigation or disciplinary process are entitled to appropriate pastoral support throughout. The College will not tolerate any retaliation, intimidation, or adverse treatment of any person who acts as a witness in a sexual misconduct matter. Any such behaviour will itself be treated as a potential disciplinary matter in accordance with this policy.

12. HOW WE HANDLE INFORMATION

CONFIDENTIALITY

12.1 The College takes confidentiality seriously. Information shared in connection with a disclosure or report will be treated with sensitivity and shared only on a need-to-know basis. Students will be told at the outset who will have access to information they share.

12.2 However, absolute confidentiality cannot always be guaranteed. Information may need to be shared without the consent of the individual where:

- There is a risk to the life of the student or another person
- The incident involves a child or vulnerable adult at risk of harm
- There is a legal or safeguarding obligation to act

In these circumstances, the College will, wherever possible, inform the student before sharing information.

DATA PROTECTION

- 12.3 All personal data processed in connection with this policy will be handled in accordance with the College's Data Protection Policy and UK GDPR. This includes information about the Reporting Party, the Responding Party, and any witnesses. Students have the right to access information held about them, subject to applicable exemptions.

RECORD KEEPING

- 12.4 The College will maintain appropriate records of all disclosures, reports, investigations and outcomes. Records will be retained in accordance with the College's data retention schedule. Historical versions of this policy will be kept accessible for as long as they may be relevant to any student, including those who have left the College.

13. COLLEGE DISCIPLINARY ACTION

- 13.1 Where a complaint is raised with the Police and a criminal investigation is taking place, the College will carry out a risk assessment which could result in one of the following outcomes:
- Temporary suspension from the College following an individual risk assessment, which may remain in place until the police investigation has been completed. The College recognises it cannot carry out a criminal investigation; however, once a police investigation has been completed the College will then carry out its own investigation and, based on the balance of probabilities and the evidence presented, form its own outcome based on the disciplinary process outlined within this policy.
 - Restricted access to the College and any associated activities
 - Altered timetable to ensure appropriate safeguarding measures can be achieved.

- 13.2 Where a formal report results in disciplinary procedures, we will follow the process laid out below, ensuring a fair and unbiased process as per the OfS Conditions of Registration.
- 13.3 The College recognises that it is not in a position to undertake a criminal investigation. It will, however, cooperate fully with any associated police investigation and subsequent legal proceedings.
- 13.4 The College may also undertake separate disciplinary proceedings where such measures are indicated by the behaviours and circumstances. The College will not undertake any investigations or actions which may hamper any police investigation; therefore, College disciplinary proceedings will normally be placed on hold once the police are involved until a resolution has been made by the police and CPS (Crown Prosecution Services).

PRECAUTIONARY MEASURES

The College may implement precautionary measures at any stage pending the outcome of an investigation or disciplinary process. Any precautionary measures taken:

- are neutral and non-disciplinary in nature
- are based on an individual risk assessment and are proportionate to the circumstances
- are subject to review and will be reviewed regularly throughout the process
- do not constitute a finding of guilt and do not imply that an allegation has been upheld

Precautionary measures may include, but are not limited to: temporary suspension from studies or work, timetable adjustments, or restricted access to College premises or activities. They are intended solely to manage risk and safeguard all members of the College community while a matter is under investigation. The College will notify the relevant party of any precautionary measure, the reasons for it, and the review arrangements in place.

14. STUDENT ACCOMMODATION

- 14.1 Reports of sexual misconduct taking place in privately owned student accommodation where the Reporting Party and/or the Responding Party are students will be dealt with initially under this policy.

15. REPORTING AND DISCLOSURE

- 15.1 The College will provide easy to understand information for all students and staff on how they can report, disclose or seek support and advice if they experience or witness any incident of sexual misconduct. This will include information on anonymous reporting and third-party reporting options.
- 15.2 In the first instance a student should report a concern to the Head of Students; Andrea Lowde: andrealowde@laine-theatre-arts.co.uk or any member of the safeguarding team, safeguarding information is posted on all college notice boards throughout all buildings. Staff may report concerns through their line manager, Human Resources, the safeguarding team or other appropriate reporting channels.

ANONYMOUS REPORTING

- 15.3 Should a student wish to report a concern of sexual misconduct, they can do this anonymously by sending written disclosure to:

Private and Confidential,
Head of Students,
The Studios,
East Street,
Epsom,
KT17 1HH

- 15.4 The College is committed to removing barriers to reporting and will regularly review its processes to ensure accessibility for all students.
- 15.5 Anonymous and third-party reports will be considered and acted upon where possible, though the College's ability to investigate may be limited in these cases.

16. INVESTIGATION AND DECISION MAKING

- 16.1 The College will ensure that investigations undertaken, and decisions made in respect of sexual misconduct incidents are credible, reasonable, and reflect established principles of natural justice.
- 16.2 All parties involved in an investigatory process will have access to appropriate and effective support prior to the decision to launch a formal investigation, for the duration of any investigation, and following its outcome. This is outlined above in section 11 of the policy.
- 16.3 The College will communicate clearly with relevant parties about the investigatory process, decision-making process, associated timescales, and factors which may impact on timescales.
- 16.4 Any disciplinary hearing or decision-making process arising from a sexual misconduct investigation will be conducted by appropriately trained individuals who are free from any reasonable perception of bias and in accordance with the relevant staff or student disciplinary procedures.

Process for Investigation and Decision Making

INITIAL ASSESSMENT

- 16.5 On receipt of a disclosure or report, the Principal or PSO will conduct an initial assessment within 5 working days to determine:
- Whether immediate safety measures are needed for any student

- Whether the matter should be referred to the police or external safeguarding agencies
- Whether an informal resolution is appropriate
- Whether a formal investigation should be initiated

16.6 The Reporting Party will be informed of the outcome of the initial assessment and, wherever possible, will be consulted on next steps.

INFORMAL RESOLUTION

16.7 Where both parties consent and the nature of the incident is appropriate, the College may facilitate an informal resolution. Informal resolution will never be used for allegations of sexual assault, rape or other serious sexual misconduct. Neither party will be pressured into informal resolution.

MALICIOUS OR KNOWINGLY FALSE ALLEGATIONS

16.8 The College recognises that the majority of reports are made in good faith. However, where an investigation concludes that an allegation was made maliciously or where the Reporting Party knowingly provided false information, this may itself constitute misconduct and may be subject to disciplinary action under the relevant staff or student disciplinary procedures. This provision is intended to protect the integrity of the process and the interests of all parties; it will not be used to deter genuine reports or to penalise those who raise concerns in good faith, even where an allegation is not ultimately upheld.

FORMAL INVESTIGATION

16.9 A formal investigation will be conducted where the initial assessment determines this is appropriate, or where the Reporting Party requests it. The investigation will be:

- Conducted by a senior member of staff or, where appropriate, an external investigator who is appropriately trained and has no personal conflict of

interest. An external investigator will be appointed where the case involves senior staff members, presents a significant conflict of interest, involves matters of institutional sensitivity, or carries significant reputational risk

- Free from any reasonable perception of bias
- Conducted on the basis of the balance of probabilities (not the criminal standard of proof)
- Conducted as promptly as is reasonably possible

TYPICAL INVESTIGATION TIMESCALES:

Stage	Target Timescale
Initial assessment	Within 5 working days of receipt of report
Investigation commenced	Within 10 working days of decision to investigate
Investigation completed	Within 20 working days (extensions communicated to parties)
Outcome communicated	Within 5 working days of conclusion of investigation

16.10 Timescales may be extended where, for example, a parallel police investigation is underway, or where the complexity of the case requires additional time. If a Police investigation is underway the College will carry out a risk assessment and this may result in temporary suspension of study for the Responding Party following an individual risk assessment, pending the conclusion of the police investigation, in order to safeguard the whole College community.

16.11 Any extension will be communicated to both parties with a revised expected timeline.

SCOPE OF INVESTIGATION

16.12 The investigation may include:

- Taking statements from the Reporting Party, the Responding Party, and witnesses
- Reviewing any documentary or digital evidence
- Consideration of previous relevant history where appropriate

POSSIBLE OUTCOMES

16.13 Following a formal investigation, the College may:

- Find the allegation is not upheld - no further action
- Find the allegation is upheld - disciplinary action up to and including termination of enrolment (for students) or termination of contract (for staff)
- Find the allegation is partially upheld - proportionate action
- Refer the matter to the police or other external agency

COMMUNICATING DECISIONS

16.14 Both the Reporting Party and the Responding Party will be directly informed in writing of:

- The outcome of the investigation and the reasons for the decision
- Any action being taken
- Their right to appeal

16.15 The level of detail shared with each party will be proportionate and will take into account confidentiality requirements and data protection obligations.

INTERNAL APPEALS

16.16 Both the Reporting Party and the Responding Party have the right to appeal a decision. An appeal must be submitted in writing to the Principal within 10 working days of receiving the outcome. Appeals will be heard by a person who was not involved in the original investigation

16.17 Grounds for appeal include:

- Procedural irregularity that materially affected the outcome
- New evidence that was not reasonably available at the time of the investigation
- The outcome was disproportionate to the findings

APPEALING TO THE OIA

Completion of Procedures (COP) and Office of the Independent Adjudicator (OIA)

Where a student has completed all internal procedures and remains dissatisfied with the final decision, a Completion of Procedures (COP) letter will be issued where appropriate. This letter confirms that the College's internal processes have been concluded and sets out the issues considered and the final decision reached.

Where eligible, receipt of a COP letter enables the student to submit a complaint to the Office of the Independent Adjudicator for Higher Education (OIA), an independent body which reviews complaints from students in higher education in England and Wales.

Any referral to the OIA must be made within 12 months of the date of the COP letter. Further information about the OIA, including the complaint scheme and how to submit a complaint, is available at www.oiahe.org.uk.

The OIA will normally only review cases after all internal procedures have been completed. It does not re-hear cases or make academic judgements but will consider whether the provider followed its procedures fairly and reasonably and whether any remedy is appropriate.

17. FREEDOM OF SPEECH AND ACADEMIC FREEDOM

17.1 Laine Theatre Arts is committed to addressing sexual misconduct while simultaneously upholding the principles of freedom of speech and academic freedom as defined in its Freedom of Speech Policy and statement on Academic Freedom. We recognise that in an educational and training context, students may encounter ideas, materials, or discussions that they

find challenging or uncomfortable, but which do not constitute harassment or sexual misconduct.

- 17.2 The content of academic discourse, including lectures, seminars, studio-based classes and rehearsals, and course materials, is protected under the principles of academic freedom and is unlikely to be considered sexual misconduct unless it is targeted at or delivered in a way that harasses a specific individual. However, this protection does not extend to personal conduct or behaviour that crosses the line into harassment or sexual misconduct. In implementing this policy, the College will carefully consider the context of any allegation, ensuring that legitimate academic discourse is protected while still taking appropriate action against genuine instances of sexual misconduct.
- 17.3 Any training, policies, or procedures related to sexual misconduct will be developed and implemented in a manner consistent with the College's obligations to protect freedom of speech and academic freedom.

18. NON-DISCLOSURE AGREEMENTS

- 18.1 The College will not include any provision in any contract, settlement, or agreement that prevents or restricts any student, employee or other member of the College community from disclosing information about an allegation of harassment and/or sexual misconduct. Any such provisions in existing contracts are void and unenforceable from 1 September 2024. This applies regardless of the form of the agreement.

19. MONITORING COMPLIANCE

- 19.1 The Laine Theatre Arts Board of Directors has overall responsibility for the Safeguarding, including sexual misconduct, and delegates day-to-day implementation of the Sexual Misconduct Policy to the Senior Management Committee which in turn is supported by the Safeguarding Committee.

- 19.2 The Board of Directors monitors compliance with the Sexual Misconduct Policy through consideration of the minutes of the Senior Management Committee and through consideration of an annual Safeguarding and Prevent Report on the recommendation of the Senior Management Committee.
- 19.3 The Academic Director (Executive Safeguarding Lead) is responsible for reporting any significant sexual misconduct incidents to the Board of Directors.

20. POLICY REVIEW

The *Sexual Misconduct Policy* is reviewed annually by the Senior Management Committee and is approved by the Board of Directors. The policy will also be subject to approval by the University of Portsmouth, the College's awarding body for its degree-level provision.

This policy is effective from May 2026 and will be next reviewed in June 2027.

ROLES AND RESPONSIBILITIES

Role	Responsibilities
Principal	Overall accountability for this policy; decision-making on serious cases; approving the policy annually
Principal Safeguarding Officer (PSO) Head of Students; Andrea Lowde (DPSO) Ellie Johnson	Lead point of contact for disclosures and reports; overseeing investigations; liaising with external agencies; maintaining records
All Teaching and Pastoral Staff	Completing mandatory training; responding appropriately to disclosures; referring matters to the DSL; acting as pastoral support contacts

Senior Management Committee	Approving and reviewing this policy; receiving annual data reports; ensuring the College has sufficient capacity and resources
Students	Treating fellow students and staff with dignity and respect; reporting concerns; participating in mandatory training

In the event of any conflict between this policy and any other document, this policy takes precedence on matters relating to harassment and sexual misconduct affecting students.

APPENDIX 1: STAFF PERSONAL RELATIONSHIP DECLARATION OF INTEREST FORM

LAINE THEATRE ARTS

Staff Personal Relationship Declaration of Interest Form

PURPOSE:

This form is to be completed by any staff member who wishes to declare a personal relationship that may present, or be perceived to present, a conflict of interest. This includes intimate, familial, or close personal relationships with students or other staff members.

STAFF MEMBER DETAILS

- Full Name:
- Job Title/Role:
- Department:
- Email:

DECLARATION OF RELATIONSHIP

- Name(s) of individual(s) involved:
- Role/Status of individual(s): (e.g., Student, Staff, Contractor)
- Nature of relationship: (e.g., intimate, familial, friendship, previous relationship)
- Relevant dates/context: (e.g., when it began/ended, if applicable)

Potential Impact

- Does this relationship have the potential to affect impartiality, supervision, assessment, or workplace decisions?

☐ Yes

☐ No

If yes, please provide details:

STAFF STATEMENT

I confirm that the information provided above is true and complete to the best of my knowledge. I understand that this declaration will be treated confidentially and in line with Laine Theatre Arts' policies, and that appropriate steps may be taken to manage any potential conflict of interest.

Signature: _____

Date: _____

Line Manager/HR Use Only

- Received by:
- Position:
- Date received:
- Action taken (if any):

DOCUMENT CONTROL

Version:	4
Approval request:	Approved by SMC on 26 th May 2026 and approved by Board of Directors on 27 th May 2026.
Review Interval:	1 Year
Last Review Date:	May 2026
Next Review Date:	April 2027