

LAINE

THEATRE ARTS

Policies

Freedom of Speech Policy and Code of Practice

FREEDOM OF SPEECH POLICY AND CODE OF PRACTICE

SCOPE OF POLICY AND CODE OF PRACTICE

The Freedom of Speech Policy and Code of Practice applies to all directors, staff, students, visiting artists, lecturers and speakers engaged in the governance, management, delivery and study of all full time courses delivered by the College; that is the *Trinity College London Level 6 Diploma in Professional Musical Theatre*, *The CertHE Musical Theatre* and the one-year *Foundation Diploma in Dance and Musical Theatre*, and the *BA (Hons) Musical Theatre* and *BA (Hons) Musical Theatre (Top-up)* validated by the University of Portsmouth. The policy and code of practice applies to all onsite and offsite activities undertaken by the College.

POLICY STATEMENT

Laine Theatre Arts is committed to fulfilling its legal duty to ensure academic freedom and the freedom of speech through its culture and values. It endeavours to create an environment in which ideas and opinions are open to challenge and where the highest standards of artistic and academic rigour are pursued.

The Board of Directors and Senior Leaders have a legal duty to take such steps as are reasonably practicable to ensure that freedom of speech within the law is secured for all directors, staff and students of the College and for all visiting speakers and artists. The College will take the steps that are reasonably practicable for it to take in order to secure freedom of speech within the law for staff, members, students, applicants for academic posts, and visiting speakers. The College will not deny access to its premises to individuals or bodies on the basis of their beliefs, views, or policies, except where to do so is necessary to comply with the law.

Laine Theatre Arts Limited Board of Directors' duties regarding freedom of speech and academic freedom are set out in its Standing Orders:

- To take such steps as are reasonably practicable towards ensuring freedom of speech within the law is secured across Laine Theatre Arts.
- To ensure that staff while engaged in research, professional practice or teaching have freedom within the law to question and test received wisdom and to put forward new ideas and controversial or unpopular opinions without placing themselves in jeopardy of losing their jobs or privileges they have within Laine Theatre Arts.

LEGAL FRAMEWORK

This policy and code of practice reflect current UK legislation, including the Higher Education (Freedom of Speech) Act 2023 and will be updated as appropriate to reflect any legislative changes. The policy should be considered in conjunction with the College's statement on academic freedom.

There are a range of legal provisions underpinning, informing and regulating freedom of speech and expression. For example, Sections A1–A6 of the Higher Education and Research Act 2017 require the College, as a registered higher education provider, to take the steps that are reasonably practicable for it to take in order to secure freedom of speech within the law for its staff, members, students, applicants for academic posts and visiting speakers; to take such steps as are reasonably practicable to secure academic freedom for academic staff; and to maintain a code of practice on freedom of speech.

The Equality Act 2010 covers the following protected characteristics: age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief and sexual orientation. Under these

provisions, the College in the exercise of its business has due regard for the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct that is prohibited under the Act.
- Advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it.
- Foster good relations between people who share a relevant protected characteristic and those who do not share it.

The European Convention recognises that there could be limits to freedom of speech ‘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’.

In addition, the College’s adopted Code of Governance, the Committee of University Chairs Higher Education Code of Governance (2024), reminds Governing Bodies in 2.7 and 2.8 that it must ‘understand and respect the principles of academic freedom and freedom of speech, the ability within the law to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions, without placing themselves in jeopardy of losing their jobs or privileges, and its responsibility to maintain and protect it as enshrined in freedom of speech legislation’.

FREEDOM OF SPEECH CODE OF PRACTICE

PURPOSE

The purpose of this code of practice is to ensure that staff understand the concept of freedom of speech and academic freedom and the steps Laine Theatre Arts will take within the law to ensure that it is secured for students, staff, directors, visiting speakers and artists engaging with onsite and offsite College activities.

DEFINITIONS

Term	Meaning
Freedom of Speech	The freedom, within the law, to receive and impart ideas, opinions or information without interference, by means of speech, writing, images or other media, including in electronic form (for example, online and on social media).
Academic Freedom	In relation to academic staff, their freedom within the law to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions, without placing themselves in jeopardy of losing their jobs or any privileges they may have at the College. See further the College's separate Academic Freedom Policy Statement.
Event	Any conference, assembly, or meeting of people held on College premises or other premises which is to any extent organised, branded, funded, supported or endorsed as a College activity but is not held for purpose of collective religious worship. This definition includes conferences, assemblies, or meetings expected to receive contributions that are pre-recorded, streamed or broadcast from other locations.
External Speaker or Artist	People who are not students, staff, or Directors of the College, who have been invited to speak at an event or work with students and/or staff for purposes that are not a designated part of an academic course of study, research activity or an

	academic offer. This definition includes pre-recorded, streamed or broadcast materials from a speaker.
Members of the Public	People who are not students, staff, nor Directors of the College
Protected Characteristic	Any of the characteristics of age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation that are protected from discrimination by law.
The Law	Any of the laws of England and Wales and the jurisdiction of the laws of England and Wales, or the laws that apply to any other jurisdiction in which the College operates.
The College Premises	All of the premises owned, leased, or used by licence or permission by the College.

APPLICATION

The code of practice covers Laine Theatre Arts' approach to ensuring that all staff are aware of the rights and responsibilities related to freedom of speech.

Staff and students are encouraged to engage with one another courteously and in good faith, but no member of the College community will be sanctioned for expressing a lawful view simply because that view is unwelcome, controversial or offensive to others. Where there is a tension between members of the community over lawful expression, the College will respond through open dialogue rather than through restrictions on speech.

The principles of freedom of speech also extend to the use of electronic and social media. However, the College requires responsible and legal use of the technologies and facilities available to staff and students of the College, including the use of the internet, email and social media.

Every Director, manager and staff member is required to take personal responsibility for understanding the provisions of the College's approach to ensuring freedom of speech through the code of practice and its day-to-day application.

PROMOTING FREE SPEECH AND ACADEMIC FREEDOM

In addition to securing freedom of speech, the College has a duty to promote the importance of freedom of speech within the law and of academic freedom for academic staff. The College discharges this duty by: communicating this policy and code of practice directly to all staff and students in writing at least once in each academic year; referencing it in induction materials and College handbooks; providing training on freedom of speech and academic freedom to staff and governors involved in recruitment, promotion, or disciplinary decision-making; and ensuring that this code of practice is linked from, and treated as taking precedence in cases of uncertainty over, any other College policy or procedure that may affect freedom of speech or academic freedom.

KEY PRINCIPLES

1. To ensure that all staff understand the legal, cultural and normative principles surrounding freedom of speech at events. An event which creates an atmosphere of fear, harassment, intimidation, verbal abuse or violence particularly in connection to age, disability, gender, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, or sexual orientation is likely to be unlawful.

The expression of views that may be controversial, but do not breach the law, will not constitute reasonable grounds for refusal of the event. Reasonable grounds for refusal would include:

- Incitement to commit a criminal act;
- Expression that is unlawful;
- Support for an organisation whose aims are illegal;

- The likely creation of an atmosphere conducive to giving rise to a breach of the peace;
- promotion of terrorism and violent extremism (as defined in the Prevent duty guidance).

For the avoidance of doubt, the academic study, critique or analysis of extremist ideologies, terrorism, or radical political views, including in the context of curriculum, professional practice or rehearsal, is not a ground for refusing or curtailing an event. Breaches will be addressed under the College's disciplinary procedures where appropriate, and, if necessary, by recourse to the law.

2. To encourage the use of open and honest discussion of views without offensive or provocative language or actions.

The College expects all staff to respect its values, be sensitive to diversity and show respect to all sections of the community.

The College recognises that academic discourse includes the lawful expression of ideas that may offend, shock or disturb without fear of disciplinary action or any other sanction. These views must also be presented without malice and be in the public interest.

3. To ensure all members of the College feel able to raise any concerns about issues which relate to freedom of speech, e.g., offensive language, discrimination, and bullying, within a supportive and open leadership culture.

We strive to create a culture of openness and trust, which enables College members to feel able to bring freedom of speech issues and other matters to the attention of the organisation as appropriate.

EVENTS AND ACTIVITIES – PRINCIPLES

The College operates procedures governing the organisation of Events and activities involving external speakers, practitioners, and the use of College premises or resources.

There is a strong presumption in favour of lawful freedom of speech and academic freedom. No Event will be refused or made subject to conditions solely on the basis of the ideas, opinions or beliefs of those involved, or because the views expressed may be controversial or unpopular, provided they are lawful.

The College will not refuse use of its premises for Events on the basis of an individual or body's ideas, opinions or beliefs, except where required by law. Where premises are made available, decisions will be based on objective and viewpoint-neutral criteria and will not depend on the content of lawful speech or alignment with the College's values or reputation.

Where concerns arise, the College may take proportionate and reasonably practicable steps to ensure that Events can proceed safely and lawfully.

Restrictions or cancellation will only occur as a last resort where necessary and proportionate.

Lawful, peaceful protest is permitted, provided it does not prevent Events from proceeding or continuing safely. Disruption, intimidation, harassment or unlawful conduct will not be tolerated.

Detailed arrangements for the booking, approval, risk assessment and management of Events are set out in the College's [External Guest Booking Procedure](#).

BREACHES AND COMPLAINTS

Where the College receives a concern relating to academic freedom or freedom of speech, or an alleged departure from the principles set out in this policy and code of practice, it will determine the most appropriate procedure to consider the

matter and may make such enquiries as it considers necessary. This may include referral to, or investigation under, the College's disciplinary, grievance, safeguarding, or complaints procedures, as appropriate.

Academic Freedom Context

There is a rebuttable presumption that the exposure of students to course materials, and statements made or views expressed in teaching, professional practice, research, rehearsal, or discussion connected with course content, will not of itself constitute harassment. This presumption applies across the College's policy framework.

Confidentiality and Non-disclosure Agreements

The College will comply with statutory requirements relating to the use of non-disclosure agreements in connection with allegations or complaints of sexual misconduct, sexual harassment, or related matters. Such agreements will not prevent individuals from making protected disclosures or speaking about their experiences, subject to appropriate confidentiality protections during ongoing proceedings.

OFS FREE SPEECH COMPLAINTS SCHEME

From 1 September 2026, the Office for Students is expected to operate a Free Speech Complaints Scheme covering current and former staff, applicants for academic posts, and individuals who have been invited, or are due to be invited, to speak at College events.

This scheme does not cover current or former students. Students who wish to raise a free speech concern that the College has not resolved to their satisfaction should instead contact the Office of the Independent Adjudicator for Higher Education, once the College's internal procedures have been completed.

Eligible staff, applicants, and visiting speakers may make a complaint directly to the Office for Students under the Free Speech Complaints Scheme. Internal College procedures should normally be completed first; however, the Office for Students may consider complaints that have not exhausted internal routes in appropriate cases.

The College's nominated point of contact for the Scheme is the Academic Director.

REVIEW AND APPROVAL

The policy and code of practice is reviewed annually and approved by the Board of Directors of Laine Theatre Arts (the Governing Body) on the recommendation of the Academic Board which has delegated responsibility from the Board of Directors for monitoring the effectiveness of the College's processes for ensuring academic freedom and freedom of speech.

The Academic Director has Senior Leadership responsibility for academic freedom and freedom of speech and advises the Principal and Artistic Director, the Academic Board, and the Board of Directors on all matters pertaining to academic freedom and freedom of speech.

RELATED POLICIES

Please see the following policies for further information:

- Academic Freedom Policy Statement
- Grievance Policy
- Disciplinary Procedure (Staff)
- Code of Conduct (Student)
- Code of Conduct (Staff)
- Whistleblowing Policy
- Harassment and Bullying Policy

FURTHER ASSISTANCE

For further information about Laine Theatre Arts' commitment to freedom of speech and academic freedom please contact the Academic Director.

DOCUMENT CONTROL

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