Freedom of Speech Complaints Scheme

Approved by:	MetFilm School Limited Board
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Changes since last version:	References to new Office for Students Complaints Scheme redress.

1. Introduction

The MetFilm School Freedom of Speech Complaints Scheme aims to protect and promote academic freedom and the free expression of ideas by students, staff, and External Guests (see also External Guest Booking Procedure) without fear of repercussion, censorship, or restriction.

The Scheme is consistent with MetFilm School's obligations under the Higher Education (Freedom of Speech) Act 2023.

2. Applicability

2.1. You can make a Free Speech Complaint if you are an eligible person. This includes:

- **Students**: Current students, and former students where the matter complained about occurred when registered at MetFilm School (subject to the timelines outlined in this scheme).
- **Staff**: Current staff members and former staff where the matter complained about occurred when employed at MetFilm School. This may include freelance lecturers or those who are employed on a "zero-hours" contract.
- **Applicants for Academic Posts:** Individuals who have applied for an academic position at MetFilm School and who allege that they have suffered adverse consequences in connection with freedom of speech or academic freedom matters arising during the recruitment process.
- **Members of MetFilm School Limited Board**
- **External Guests:** Individuals who were, or were invited to be, external and / or visiting speakers / lecturers / professors at MetFilm School, including performers; it does not include a person who wanted or requested an invitation to speak but received no invitation. See also External Guest Booking Procedure for definitions.

3. Scope

3.1. You can make an eligible free speech complaint regarding actions or inactions by MetFilm School perceived to restrict or inhibit free speech, barring unlawful ones. A free speech complaint is a complaint made by an eligible person who:

- Claims that the person making the complaint has suffered adverse consequences (which need not be financial) as a result of action or inaction of MetFilm School; and
- Claims that or gives rise to a question whether the action or inaction was a breach of MetFilm School's free speech duty.

3.2. A free speech complaint may include claims other than free speech claims. However, we will only review those other claims if they contain information relevant to the free speech claims. Where a complaint contains both freedom of speech issues and matters falling under another School procedure, MetFilm School may determine the most

appropriate procedure to consider each aspect of the complaint and may consider different elements under separate procedures where appropriate.
MetFilm School.

3.3. Local Jurisdiction Considerations: In determining complaints arising outside England, MetFilm School may take account of relevant legal and regulatory requirements applicable in the jurisdiction where the relevant event or activity occurred.

4. Exclusions

4.1. We will not review complaints under this Scheme which relate to events which occurred before the establishment of this Scheme (1st August 2025). Other matters we will not consider under this scheme include those where:

- The complainant raises a complaint against individuals because of their lawful expression of a viewpoint.
- The complainant continually changes the substance of a free speech complaint.
- The free speech complaint provides no new information to that set out in a free speech complaint previously submitted and considered under this Scheme.
- The free speech complaint concerns matters which, in MetFilm School's judgement, are trivial (e.g. regarding minor or insignificant issues).
- MetFilm School deems the complaint vexatious because its primary purpose is to harass, annoy, or cause financial burden rather than to achieve a legitimate outcome.
- The complaint lacks any serious purpose or value and potentially is not grounded in the facts of the case, and MetFilm School considers the complaint frivolous.
- The complainant acts aggressively or offensively, is abusive, or makes unreasonable demands. If this happens, we may cease consideration of the complaint at any time during the complaint process.

5. Submitting Complaints

5.1. You should submit a complaint, providing the required information, via this form or by emailing casework@bimm.ac.uk. This should be within 30 days of the incident that gave rise to the complaint, unless exceptional reasons are provided which explain why the complaint was made after this time period.

5.2. When you submit a free speech complaint, you need to provide personal information, including your name and contact details. Should you ask us to protect your identity, we will make reasonable attempts unless legally required to reveal it.

5.3. If a staff member / student does not want to raise a formal complaint, they may wish to use our Anonymous Disclosure Form to report breaches of the Freedom of Speech Policy. It is important to note that we cannot normally investigate complaints received in this way, however, the data received will be used for monitoring purposes.

5.4. You may appoint a representative to handle your free speech complaint, in which case will normally correspond with your representative rather than directly with you. You must ensure your representative understands your free speech complaint, will act in your best interests, and can keep you informed throughout our review process. Whoever acts as a representative should maintain confidentiality. Suitable representatives could be:

- Students: a family member or friend.
- Staff: a colleague / Trade Union representative.

5.5. It is not normally necessary for staff / students to have legal representation at this stage unless there were exceptional circumstances, for example as a reasonable adjustment. Advice can be provided by the Casework Manager on this matter.

6. Complaints Process

6.1. Complaint Submission

The complaint will be received by Academic Services in the first instance. Upon receiving a complaint, we will:

- Ensure that the complainant is an eligible person (defined in 2.1).
- Conduct an initial assessment to determine whether the complaint is eligible (defined in sections 3 and 4).
- Review the complaint where eligible, ensuring all parties can present their case.

6.2. Complaint Handling

Academic Services will appoint an individual from within MetFilm School as the Investigating Officer who has had no involvement in the event or activity that is the subject of the complaint. This will be a member of staff who has been trained to manage these types of investigations impartially, fairly and without bias. Exceptionally, we may appoint an individual external to MetFilm School as the Investigating Officer.

6.3. Complaint Investigation

The Investigating Officer will normally conduct a paper-based review of your free speech complaint, seeking to resolve the complaint and settle with you where possible.

In looking at your complaint, they:

- will review your complaint form and any other information / evidence you send us.
- may ask specific follow-up questions about your free speech complaint or invite you to provide additional information where we consider appropriate.
- may share information within MetFilm School to help us decide whether we can review your free speech complaint and investigate where the complaint is eligible.
- may – where appropriate - interview witnesses named in the complaint.

- will write a report and provide a suggested resolution to the complaint. This may include an informal resolution or a formal recommendation, which must be agreed by the Deputy Vice Chancellor and Chief Operating Officer (DVC & COO).

6.4 Please note:

- You may withdraw your free speech complaint at any stage.
- We may suspend our review of your free speech complaint if you are no longer contactable through your provided contact details.
- Where we receive two or more free speech complaints about the same subject, we may treat these complaints as a group complaint for review by the same Investigating Officer. Individuals may have made the complaints separately, even if you were unaware of the other complaint(s).

6.5. Freedom of Speech Panel

Where the complaint is particularly complex, the complaint may be referred to a Freedom of Speech Panel. The Panel will normally have the following composition:

- BIMM Group Chief Academic Officer (Chair)
- Two other members of the BIMM Group University Leadership Team. This should not include the Chief Executive Officer (who shall consider appeals) or Chief Operating Officer (the named Freedom of Speech Lead).

A note-taker will also be in attendance, along with the Investigating Officer who will present their report.

The Panel will review the investigation report and decide on the outcomes of the free speech complaint.

7. Decision-making about the Complaint

7.1. MetFilm School will ensure that it concludes complaints processes as quickly as possible. We will communicate our decisions to the complainant within 60 days of the complaint submission, unless we consider the complaint complex and in which case we will advise that this may be delayed.

7.2. You will be provided a copy of the investigation report (as well as minutes from the Panel if applicable). The outcome letter will outline:

- A summary of the findings.
- The decision reached and the reasons for the decision, and whether the complaint is considered upheld or not.
- Whether MetFilm School will take specific actions because of the complaint.

8. Appeals against the Decision

8.1. If you remain dissatisfied with the decision, you may appeal by submitting a written request within 15 working days of the decision. Appeals will be on the following grounds:

- There were circumstances, or new evidence has come to light, which affects the complaint that could not reasonably have been made known to the investigators at the time the complaint was originally considered.
- There was a procedural error in the complaints process which could have produced a different outcome would had the error not occurred.
- There was evidence of bias in the complaints process which could have produced a different outcome would had the bias not occurred.

8.2. An outcome will be provided within 20 working days of submission of the appeal, which will be considered by the Chief Executive Officer and Vice-Chancellor.

9. External Review and Redress

9.1. Students

MetFilm School is a member of the Office of the Independent Adjudication for Higher Education (OIA) Complaints Scheme. After completing our procedures, registered students at MetFilm School can ask the OIA to review the complaint, within 1 year of receiving an outcome of their free speech complaint. More information on submitting a complaint to the OIA can be found here.

9.2. Staff, Applicants for Academic Posts, External Guests and other Eligible Persons

Following completion of MetFilm School's Freedom of Speech Complaints Scheme, eligible complainants may have the right to submit a complaint to the Office for Students under its Free Speech Complaints Scheme. Eligibility and admissibility are determined by the Office for Students. Further information can be found here.

9.3. Complaints concerning activities occurring at campuses outside England will be considered under this Scheme having regard to applicable local legal and regulatory requirements. References to the Office for Students apply only where the matter falls within the jurisdiction of the Office for Students.

10. Confidentiality

10.1. MetFilm School ensures the confidential handling of all complaints in line with our Data Protection Policy. It respects the privacy of all parties involved unless there is a legal requirement for disclosure, including a request from OIA under the Student Complaints Scheme following a complaint.

11. Reporting and Monitoring

11.1. To ensure transparency, MetFilm School will publish anonymised summary reports of complaints and outcomes annually. The reports will form a part of the annual report to

MetFilm School Limited Board (MFSLB) on the operation of Free Speech within MetFilm School.

11.2. MetFilm School Limited Board will monitor the effectiveness of this procedure annually to assess its effectiveness and make any necessary amendments to ensure it continues to meet its objectives effectively.