

Section 13 – Academic Freedom

Chapter 1 – Academic Freedom Policy

For the purposes of this Code, the definition of Academic Freedom is that stated in the University's Articles of Government (7.2), which states that the Board of Governors shall have regard to the need to:

'ensure that academic staff of the University 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 or losing their jobs or any privileges they may have at the University.'

Academic Freedom is used commonly to describe three distinct but related concepts: scholarly freedom to carry out teaching and research without undue interference;

institutional autonomy; and

academic participation in university governance.

These concepts support each other but can also be in tension with each other. So, for instance, a limitation on individual Academic Freedom is that it exists within the context of collegial decision-making processes used to determine and decide the broad curriculum and academic regulations. Nevertheless, an underpinning principle of this Code is that collegiality and academic participation in University's deliberative structure best promotes and protects scholarly freedom.

The University commits to ensuring:

its academic staff are free to teach or communicate such ideas or facts as they see appropriate to a learning activity;

its academic staff are free to engage in legitimate research, inquiry and scholarship and its dissemination;

academic judgement is the preserve of academic staff and collective academic decision making should be made by appropriately constituted academic committees and bodies (e.g. Assessment Boards, Academic Board and its sub-committees etc) subject to the authority of the Board of Governors set out in the Articles of Government;

academic staff should be involved and consulted in the development of academic policies and procedures and other policies which impact on academic standards and quality.

Academic staff should be aware that:

Academic Freedom in teaching operates within the bounds of the validated learning outcomes of the course, relevance to subject and the maintenance of academic standards which are collegially determined;

Academic Freedom necessarily carries a responsibility to tolerate the Academic Freedom of others;

the limitations on Freedom of Speech (set out Section 13, Chapter 2) apply equally to Academic Freedom;

Academic Freedom is not about belief or faith and can only be exercised in a manner which is evidenced based, gives weight to alternative points of view and methods, balances academic critiques of the views expressed and is based on solid scholarship and/or research integrity;

Academic Freedom to criticise a national or institutional policy does not constitute any exemption from that policy.

Chapter 2 – Code of Practice on Freedom of Speech

Freedom of Speech is the freedom to hold opinions and to receive and impart information and ideas without interference. It encompasses freedom of expression (which includes written material, images and other published, social media or broadcast material). Amongst other things, it includes the right to:

express political views (including comment on matters of general public interest);

artistic expression (including material that is shocking, controversial or held generally to be in poor taste);

hold, promote or criticise religious or social views;

promote minority, radical or dissenting views (including ones which may be obnoxious or annoying to most people); and

commercial expression when it relates to a matter of public debate or concern.

The University's obligations in respect of Freedom of Speech, within the context of its Values and subject to its Articles, Mission, Code of Conduct, regulations and policies, are to:

protect the right to Freedom of Speech for its staff, students and other stakeholders by ensuring that they are able to express their opinions and beliefs without fear of disciplinary action or other sanction;

not deny access to premises unreasonably to any individual or body of persons on any ground connected with lawful beliefs or views of that individual or of any member of that body; or the lawful policy or objectives of that body;

conduct its business in a transparent and inclusive manner ensuring that staff and students have the right to speak freely without fear of disciplinary action or any other sanction, provided they do so within the law.

Freedom of Speech is not unlimited, and carries with it duties and responsibilities, and as Article 10 of European Convention on Human Rights (as incorporated into UK law through the Human Rights Act 1998), makes clear, may be subject to formalities, conditions and restrictions imposed by law. The right to Free Speech is not a right to raise issues in an inappropriate or vexatious manner or in meetings and contexts where the view raised is not within the remit of the group or the matter of business in hand.

The responsibilities of the University's community and stakeholders in respect of Freedom of Speech are:
to uphold the right of others to Freedom of Speech;

to ensure that in exercising the right to speak freely and articulate points of view, they act within the law and their obligations as employees, students or other stakeholders at the University;

not to use abusive or threatening language or behaviour likely to constitute bullying or harassment or a breach of the Code of Conduct or student disciplinary matter;

not to communicate in a manner so as to cause anxiety, alarm or distress (or likely to be a breach the Malicious Communications Act 1988);

not to express views intending or likely to be perceived as an incitement to hatred, victimisation or discrimination on the grounds of a protected characteristic under the Equalities Act 2010;

not to directly or indirectly support terrorism or proscribed organisations or facilitate their support (Counter-Terrorism and Security Act 2015);

not to promote or facilitate the promotion of extremism (as defined in the Prevent Duty Guidance as: 'vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. We also include in our definition of extremism calls for the death of members of our armed forces');

not to associate the University with personally held views in a manner likely to bring the institution into disrepute;

respect the privacy of others and maintain confidentiality when it is required.

Chapter 3 – Complaints about Infringement of Academic Freedom or Freedom of Speech

An academic member of staff who believes that their Freedom of Speech and/or Academic Freedom has been infringed should submit a complaint under the [Staff Grievance procedure \(ravensbourne.sharepoint.com/sites/HR\)](https://ravensbourne.sharepoint.com/sites/HR).

A student who believes that their Freedom of Speech and/or Academic Freedom has been infringed should submit a complaint under the Student Complaints procedure.

When the complainant believes there has been a serious infringement of Academic Freedom amounting to a failure to comply with a legal or regulatory obligation amounting to malpractice as defined in the institutional ['Whistleblowing Policy and Procedure'](https://ravensbourne.sharepoint.com/sites/HR) (ravensbourne.sharepoint.com/sites/HR) then he or she should write to one of the two institutional Designated Officers named in that procedure.

Other Stakeholders or members of the public who wish to raise concerns in respect of an infringement of Freedom of Speech and/or Academic Freedom, or who believe access to the University's premises have been denied unreasonably on the grounds connected with lawful beliefs or the views should write to the Vice-Chancellor who will delegate an appropriate member of the Executive to investigate.