

Model Ordinance: Statement of Academic Freedoms

1. Academic freedom is the commitment to free and open inquiry without fear of reprisal for academics and students. As such, it is a foundational right and value of higher education.
2. The University greatly respects human dignity and human rights, and all members of our community share the responsibility for maintaining an environment of mutual respect and civility. Nevertheless, it is not the proper role of the University to attempt to shield individuals from, or to restrict the lawful discussion of ideas and opinions no matter how unwelcome, distasteful, or offensive those ideas and opinions may seem.
3. In accordance with international standards, including the European Convention on Human Rights (as interpreted by relevant jurisprudence) all members of staff of the University who engage in teaching and research either by their written contracts or by established and agreed practice and research students (in this Ordinance called “academic members”) shall have the rights listed below, which comprise “academic freedom” for the purposes of this ordinance.
 - 3.1. Without fear of censorship, disciplinary action, loss of privileges, the reduced likelihood of securing promotion or redeployment, dismissal, or any professional or personal reprisal or disadvantage by the University, all academic members of the University, have the right, without unlawful interference, to:
 - 3.1.1. question and test received wisdom and put forward new ideas and controversial or unpopular opinions;
 - 3.1.2. determine and pursue the subjects, methods, purposes, and partners of their research, scholarship, and creative expression, and publish and disseminate the results of that research as they wish and in the form they deem appropriate, recognising national and international professional principles of intellectual rigour, scientific inquiry, and research ethics;
 - 3.1.3. conduct teaching and consider matters in the classroom in a manner that they consider appropriate to the standards and norms of the scholarly enterprise. This includes but is not limited to determining programme and module content, teaching methods, assessment and marking; and facilitating class discussion in accordance with good scholarly practice;
 - 3.1.4. speak or write internally or externally on matters of public concern and academic interest, as well as on matters related to professional duties, or the functioning of the University, of higher education, or of any other third party, whether in the UK or abroad, which in their reasonable judgement arise in connection with their professional competence or expertise.
 - 3.2. In exercising the rights above, all academic members will have the responsibility to
 - 3.2.1. acknowledge the rights of others to academic freedom and freedom of expression;
 - 3.2.2. perform professional duties and responsibilities in accordance with University’s policies concerning professional behaviour and conduct of duties, professional principles and with due regard for the law, including expectations of fairness, equality and tolerance of differing opinions to the extent that such policies do not conflict with their academic freedom and/or free expression;
 - 3.2.3. honour any applicable agreements with research funding and regulatory bodies,
 - 3.2.4. when speaking on matters of public interest, speak in their professional individual capacity unless they specify otherwise, and understand that the public may judge their profession and institution by their utterances.

4. Breach of responsibilities set out in 3.2 above may lead to disciplinary proceedings, but in all such cases, the University will have particular regard to the importance of academic freedom, acknowledging the right of an individual to academic freedom ordinarily prevails above the rights and interests of the University.
5. In accordance with international standards and best practice, all registered students, in the context of their University education shall have the rights listed below, which comprise “academic freedom” for the purposes of this ordinance. All students shall have the:
 - 5.1. right, within the law, to examine and discuss all questions of interest to them as they relate to their course of study, and take reasoned exception to or reserve judgement about data or matters of opinion, without fear of unfair evaluation unrelated to their academic performance;
 - 5.2. responsibility to learn the content of any course of study for which they are enrolled, and observe policies concerning student conduct, including expectations of tolerance of opinions that differ from their own.
6. Additional rights for all academic members and registered students of the University should also be protected, including the:
 - 6.1. right of expression, whether exercised within or outside the context of university study.
7. The University commits to
 - 7.1. take reasonably practicable steps to support academic members in their pursuit of research, teaching, and defence of their principles within the law, regardless of their focus (such support should be free of any political agenda, institutional priority, or pressures exerted implicitly or explicitly, which may come internally from managers or colleagues or from external bodies or organisations);
 - 7.2. ensure that its policies and procedures are compatible with relevant national and international standards including the European Convention on Human Rights (as interpreted by relevant jurisprudence);
 - 7.3. support academic members if they are faced with any form of abuse arising out of or in connection with their lawful exercise of the right to academic freedom (this support may include, but not be limited to human resources and legal advice, public relations support, counselling services, Campus Security protection, and robust advocacy and defence of academic staff in the wider public sphere);
 - 7.4. respect research grant and/or innovation agreements, undertaking no change or amendment to such agreements without the consent of the researchers, in order to protect academic freedom;
 - 7.5. ensure that agreements with national or international partners of any kind respect commitments to academic freedom set out in this Ordinance from the outset, especially with respect to curricula, assessment, research, or employment decisions, and report on such agreements in an open and transparent manner annually to the Senate;
 - 7.6. protect academic freedom at all stages of national and transnational collaboration of any kind (for example, within activities that involve students, academics, institutions, campuses, branches, joint accreditation or dual recognition of awards, donors, fieldwork, research, student exchanges, teaching activities and/or employment, commercial activities, on- or off-campus activities, or access to the universities communities, facilities or resources) by
 - 7.6.1. evaluating the *de jure* constitutional and legal protection for freedom of expression and academic freedom and the operation of *de facto* academic

- freedom, in those nations within which the University of wishes to operate or with whom they wish to collaborate,
- 7.6.2. undertaking meaningful risk assessment and due diligence when such collaborations and/or operations are being considered, and
 - 7.6.3. putting into place *from the outset* measures to protect academic freedom commensurate to any identified risks and adapting such measures as necessary; and
 - 7.6.4. reporting on such collaborations in an open and transparent manner annually to the Senate;
- 7.7. establish a standing academic committee on academic freedom and freedom of expression.
- 7.7.1. Membership of the committee will serve for a three-year term with the opportunity to extend for a second three-year term and the membership will include members of Council (3), members of Senate (3), academic experts across a diverse range of disciplines and career stages (6), a member of research support staff (1), and a PGR student representative (1);
 - 7.7.2. The committee will:
 - 7.7.2.1. affirm and promote the importance of academic freedom and free expression and establish its significance as a guiding value of university culture.
 - 7.7.2.2. hear complaints and/or receive reports, including those raised confidentially by academic members, about threats to or restrictions on academic freedom arising from university-related activity, reporting on these annually or as may be appropriate to the Senate and the Council.
 - 7.7.2.3. address concerns where possible or refer them to other entities for assistance,
 - 7.7.3. assist and make recommendations to the Vice Chancellor and their designees regarding encroachments on statutory principles of academic freedom and free expression when dealing with particularly sensitive questions or applying the policies, procedures, and codes of practice of the University.
 - 7.7.4. Provide recommendations to the Senate and Council in relation to complaints arising from or any issue of breach in relation to this Ordinance, as may be appropriate.