



POLICY ON FREEDOM OF SPEECH AND ACADEMIC FREEDOM

Freedom of Speech

The right to express views and ideas freely, without fear of interference or persecution, is an essential part of democracy. Respectful debate and conversation help us challenge discrimination, get rid of intolerance and harmful attitudes, and build strong, positive communities. Freedom of expression is a key part of the higher education experience. Sharing ideas is crucial for learning, and allows students to think critically, challenge and engage with different perspectives.

There are two main pieces of legislation requiring HEPs to protect freedom of expression: the Education (No 2) Act 1986 and the Human Rights Act 1998.

The Human Rights Act 1998 says that all public bodies have to comply with the rights set out in the European Convention on Human Rights (ECHR). This includes Article 10, which protects the right to freedom of expression. Article 10 protects right to hold opinions and express them freely without interference from public bodies. In connection with freedom of expression, most publicly funded HEPs are likely to be public bodies for the purpose of the Human Rights Act 1998.

Additionally, Section 43 of the Education (No 2) Act 1986 (the s.43 duty) places a legal duty on universities and other HEPs to take ‘reasonably practicable’ steps to ensure freedom of speech within the law for their members, students, employees and visiting speakers.

This includes making sure, as far as possible, that no individual or group is stopped from using the HEP’s premises for any reason connected with an individual’s beliefs or views, or the policy or objectives of the group. The s.43 duty applies to speech that is ‘within the law’. This means it does not cover speech that would be a criminal offence, or break civil law, including charity law.

Academic Freedom

LSCI plays an important role in the society in seeking knowledge and allows debate and discussion within the law, where ideas can be tested, where students learn to challenge ideas and think for themselves, and where rationality underpins the pursuit of knowledge. LSCI's approach to Academic Freedom is to ensure that the College can promote academic freedom and freedom of speech with the law for members of the College, including the Staff/Students. The college is fully committed in promoting an environment in which intense inquiry and informed argument generates lasting ideas, and where members of its community have a responsibility both to challenge and to listen fully.

LSCI fully appreciates that Freedom of expression is relevant to but not be confused with, the important principle of academic freedom. Academic freedom relates to the intellectual independence of academics in respect of their work, including the freedom to undertake research activities, express their views, organise conferences and determine course content without interference.

As part of their duties under Article 10 and the s.43 duty, LSCI protects the freedom of expression of academics and staff. The College sees respect for academic freedom as a primary value. Through its commitment to academic freedom, the College is committed to ensuring that academic staff, students and other members of the College 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. It is similarly committed to ensuring that staffs have the right to criticise the functioning of higher education institutions, including their own, without placing themselves in jeopardy. The College believes that the academic freedom of faculty members to research, teach or communicate ideas or facts (including those that are inconvenient to external political groups or to authorities) without being targeted for repression, job loss, or detriment is essential to the principles of academia.

However, academic freedom must be applied carefully and has limitations in practice. Academic staff should never make statements that are at variance with the institutional values of the College, which they have contractually agreed to support. In particular staff must be careful to ensure that they apply mutual respect to colleagues and opponents in debate and not promote views which can be interpreted as discriminatory in terms of gender, racial

background, sexual orientation, age or any other personal characteristics. They are encouraged to avoid controversial issues not related directly to their fields of study and if communicating in public they should indicate clearly that they are not speaking for LSCI unless they are authorised to do so.

Principles

LSCI is committed to ensuring that members of staff have the opportunity to make their voice heard, directly or indirectly, on any matter of concern to them, and in particular to ensuring that they are consulted on the development of strategy and on matters of policy and principle, including the basis on which resources are allocated.

Specifically, the College is committed to principles including but not limited to:

- Ensuring that academic decisions are taken by academic bodies;
- Encouraging regular and effective staff meetings and to encourage staff engagement in the development of strategy and policy issues;
- Make all minutes of meetings, external reports etc, Available for viewing by all staff either through website, or staff emails.
- College Policies should recognise that freedom of expression is a core value in the College. No policy should be adopted that would, inadvertently or otherwise, curtail freedom of expression among either staff or students. Likewise decisions made by College Management in performance of their duties should give due importance of the benefit to the academic community, and society as a whole, that flows from freedom of expression. Staff and students should understand the obligations and responsibilities that freedom of expression brings.
- Notwithstanding the requirement of teaching staff to teach a curriculum arrived at through collegial discussion at discipline or other appropriate level, the College will maintain an environment for teaching and learning that values diversity of opinion, encouraging exchange of opinion between teacher and student as part of a robust educational process. Staff are not required to present as valid what they consider to be inaccurate or untrue, and students will be enabled to question that for which inadequate evidence is given. In all cases, the College will seek to develop the search for truth as

a part of the experience of teaching and learning, relying not on the imposition of authority or acceptance of received knowledge but rather on the exercise of the critical faculties of the human mind. Diversity, whether in teaching and learning styles and modalities, subject matter, or learning outcomes, is valued as a natural consequence of academic freedom.

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