



Academic Freedom and Freedom of Expression

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Purpose:	The purpose of this policy is to provide guidance on the school's position on academic freedom and freedom of expression.
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Responsible person:	Z. Choudhry, Principal

1. Introduction and purpose

1.1 Raindance endorses and adopts the principle of freedom of speech and expression within the law as one of the core principles upon which all institutions of learning should be founded. It also has regard to the need to ensure that academic staff have freedom within the law to question and test received wisdom, and 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 Raindance. Every person employed at Raindance, and every student enrolling, should be aware that joining the university community involves obligations and responsibilities which are consistent with the above principles and the law.

1.2 In operating this policy, Raindance seeks to ensure that the principles of freedom of expression are upheld balanced with the need to protect the welfare of both staff and students and to protect the company's reputation, and the reputation of associated institutions and partners, both in the UK and abroad.

2. Principles

2.1 This policy is underpinned by the following core principles and ideas which are based on the Equality and Human Rights Commission: Freedom of expression: a guide for higher education providers and students' unions in England and Wales:

- i. Everyone has the right to freedom of expression within the law.
- ii. The university will always work to widen debate and challenge, rather than narrow it.

- iii. Any decision about speakers and events will seek to promote and protect the right to freedom of expression.
- iv. Peaceful protest is a protected form of expression; however, protest should not be allowed to shut down debate or infringe the rights of others.
- v. Freedom of expression should not be abused for the purpose of unchallenged hatred or bigotry. The university will always aim to encourage balanced and respectful debate.

3. Scope

3.1 The policy's obligations shall apply to:

- vi. Raindance (which shall include all bodies or persons having authority to determine any matter relevant to this policy)
- vii. All staff and governors of Raindance Educational Services (whether academic staff or otherwise)
- viii. all duly enrolled students (whether full or part-time)

3.2 The policy's rights shall apply to:

- i. all staff, governors, students and visiting speakers;
- ii. and in relation to the holding of academic activities within paragraph 7.1 or meetings or like events within paragraph 8 on premises controlled by the university or the students' union or an organisation affiliated to the students' union to: a) persons invited or otherwise lawfully on the premises; b) persons who, if it were not for the provisions of this policy, would have been so invited.

Limits

The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, 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.

Freedom of expression will not be restricted on the basis of the views expressed by one party being found offensive by another. Particularly when said views are intended to inform or are expressed in a public debate where they are open to being challenged. However, inciting hatred, or otherwise using freedom of expression as a means to detriment or abuse of the rights, integrity, autonomy, dignity or humanity of others, is cause for disciplinary action.

Freedom of expression ends where another's rights begin.

Any disciplinary action in regard to the restriction of freedom of expression will remain lawful, necessary and proportionate in order to protect the wider interests of the student body, the academic staff, the Raindance Community and society in general.

Raindance will not deny use of its premises, equipment or other resources on the basis of an individual's or group's beliefs or views.

Academic Freedom

Intellectual independence of academics in respect to their work, freedom to undertake research, express their views, determine course content and organise conferences without interference.

Student complaints and protests will not be allowed to result in restrictions to academic freedom, self-censorship of academic work, or otherwise infringe in an academics right to

ANNEX A - Longlist of criminal offenses resulting in restrictions on freedom of expression

Laws that place limitations on freedom of expression in England and Wales include:

Crime and Disorder Act 1998

- racially or religiously aggravated offences (sections 29-32)

Offences Against the Person Act 1861:

- threat to kill (section 16)

Public Meeting Act 1908:

- endeavour to break up a public meeting (section 1)

Public Order Act 1986:

- fear or provocation of violence (section 4)
- intentional harassment, alarm or distress (section 4A)
- harassment, alarm or distress (without intent) (section 5)
- acts intended or likely to stir up hatred on the grounds of race (sections 18-23); religion (sections 29B-29F); or,
- sexual orientation (sections 29B-29F)

Serious Crime Act 2007:

- encouraging or assisting the commission of an offence (sections 44-46)

Terrorism Act 2000:

- incitement to commit acts of terrorism overseas (section 59)
- inviting or encouraging support for a proscribed organisation (section 12)

Terrorism Act 2006:

- encouragement of terrorism (section 1) including the glorification of the commission or preparation of terrorism (sub-section 1(3))
- dissemination of terrorist publications (section 2)
- encouragement of terrorism and dissemination of terrorist publications via the internet (section 3)