

Code of Practice: Academic Freedom and Freedom of Speech

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1. The University of Lincoln upholds the right of all staff, students, members and visiting speakers of the University to academic freedom and freedom of speech within the law. Staff and students should be aware that joining the University Community involves obligations and responsibilities which are consistent with this Code of Practice and the law.
2. This commitment is enshrined in the University's Articles of Government, and the Board of Governors must '*ensure that members 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*'.
3. For staff, this commitment includes but is not limited to no-detriment in retaining their posts or privileges, promotions, assignment of duties and access to support mechanisms (for example, training, funds and facilities). Further, no applicant for a post will be disadvantaged because they have previously exercised these rights. For the avoidance of doubt, this clause does not prevent the University targeting resources to support particular initiatives or priorities.
4. For students, this commitment includes but is not limited to no-detriment in retaining their rights and privileges, including the delivery of their programme of study, access to facilities, support mechanisms or other opportunities available to them as a member of the University Community. For the avoidance of doubt, this clause does not prevent the University targeting resources to support particular student priorities.
5. Universities play a critical role in society and for the advancement of knowledge. This requires a process of critical enquiry, in which both established and new ideas are questioned and tested, and consequently expressed ideas may frequently conflict. The University maintains that freedom of speech and academic freedom are most effectively promoted within a culture that values courteous language and behaviour, robust expression of views, tolerance of disagreement, openness to challenge to one's own beliefs, and academic rigour in exploring ideas and constructing arguments, and will actively seek to promote such a culture among members and students. Thus, individual members of the University voluntarily exercise their right to freedom of speech responsibly, respectfully and constructively.
6. It is not the role of the University to shelter individuals from ideas and opinions they find unwelcome, disagreeable, or even deeply offensive. Members of the University may not obstruct the expression of ideas that they disagree with – even if they consider those ideas offensive, unwise, immoral or wrong-headed – but they may openly and vigorously contest such ideas within the context of free and open debate.
7. Freedom of speech is limited within the law, including limitations on speech that threatens public safety, discriminates, incites hatred or terrorism, defames individuals or substantially invades

privacy. Free speech cannot include the use of threatening or abusive language that is likely to lead to harassment, alarm or distress to another in hearing, or to cause a breach of the peace. The University has obligations under the law including to prevent harassment of and discrimination against individuals.

8. The University is obligated under law to consider the need to promote harmonious relations between groups with protected characteristics and values its civic role in promotion dialogue and understanding between individuals and groups with differences in outlook, in line with its One Community values. These responsibilities will be undertaken without infringing on the right of freedom of speech.
9. The University's policies and procedures, including its disciplinary practices, while protecting freedom of speech within the law to the maximum extent possible, nonetheless may act to address unlawful expression by its members, including harassment of individuals, to address actions that unreasonably disrupt the proper functioning of the University, and otherwise to discharge its legal responsibilities.
10. The University will offer personal support to those staff and students who are distressed by the exercise of the lawful freedoms of others.
11. The University will not deny access to its campuses or premises to any student, member of staff, visitor, or any individual or group/body invited to the premises of the University by a student or member of staff, on any grounds relating to an individual's ideas, views, beliefs or either a group/body's policies, objectives or its members' ideas, beliefs or views, except where it is legally entitled or required to do so (such as the "Prevent" duty). Where the University believes unlawful speech has occurred it shall refer the matter to the lawful authorities and may (as appropriate) take disciplinary action against its members.
12. When upholding the right to academic freedom and freedom of speech within the law, the University commits that use of its premises by any individual or group/body shall not require the individual or group/body to bear any cost of security relating to use of the premises, except in exceptional circumstances.
13. Whilst this Code of Practice affirms the University's commitment to and promotion of academic freedom and free speech, it also sets out below circumstances where it is necessary and appropriate for the University to properly regulate the time, place and manner of academic freedom and free speech:
 - to discharge its legal obligations and those of the sector regulatory body;
 - to ensure the health, safety and wellbeing of students, staff and others lawfully on its campuses/premises or otherwise engaged with University activities;
 - to prevent serious disruption of academic and other University activity.

This principle cannot be used to an end to suppress freedom of speech, any application of these limitations must be applied as narrowly as possible in time, place and manner.

14. Nothing in this Code of Practice shall be taken to prohibit the legitimate exercise of the right to protest by peaceful means, provided the principles and requirements of this Code are not contravened.
15. The University publishes a separate External Speakers Policy.