

Draft Code of Practice on Academic Freedom

1. Preamble

1.1 The School is a community of scholars, researchers and students supported by professional services staff. Its purpose is to pursue the study of human societies informed by its motto: *rerum cognoscere causas* ('to know the causes of things'). Freedom of enquiry is essential to this purpose.

1.2 In accordance with the above, the following are two of the most important values enshrined in the School's Articles of Association:

- (a) Everyone shall be entitled to equal treatment on the basis of individual merit and without unfair discrimination as regards admission to and membership of the School, whether that be as a Member of Council, officer or employee of the School or as a student or other individual associated with the School.
- (b) Every individual associated with the School shall be entitled to freedom of thought, conscience and religion, and to hold opinions without interference, disability or disadvantage, and to freedom of expression and speech within the law, including the right to seek, receive and impart information and ideas of all kinds.

1.3 The School has adopted this Code of Practice ('the Code') to help ensure that academic freedom within the law is secured for students, employees and other members of the School (including honorary, visiting staff and guest teachers) and for all persons authorised to be on School premises, including visiting speakers.

1.4 This Code supports the LSE Ethics Code principle of intellectual freedom. The Ethics Code supports the School's commitment to intellectual freedom through the protection of individuals' freedom of expression and by upholding the freedom to research and to convey the findings of research.

1.5 This Code complements the School's Code of Practice on Freedom of Speech.

1.6 The School Management Committee (SMC) will be responsible for policy issues connected with the interpretation of this Code, and will consider matters relevant to this Code as circumstances require. SMC will review the Code at intervals and consult with Academic Board on significant changes to it. Council will approve the Code.

2. Scope

2.1 This Code applies to all activities on any premises wherever situated, of which the School has title or possession, by freehold, leasehold, licence or otherwise, including its halls of residence, students' union premises and the Faith Centre ("the Premises"). It also applies as appropriate to all activities of staff or current students in any other location when carried out in the name of the School or of the LSESU.

3. Principles

3.1 Academic freedom at the School comprises the freedom to:

- a) carry out and facilitate research in the social sciences
- b) to question and test all previous opinion, received wisdom, research results and interpretations of social scientific knowledge in the broadest sense;
- c) to disseminate social-scientific knowledge, and the debates entailed in that knowledge, through teaching, the awarding of degrees, academic lectures and seminars, consultancy, contributions to policy-formation and public events.

3.2 In light of the School's foundational commitment to academic freedom, the School, as an institution, including all its departments, schools, institutes and divisions, does not take a position in political, international or scholarly disputes.

3.3 Academic freedom entitles individual academics to full freedom within the law and the School's Ethics Code to research and publish the results of research, and to question and criticise the research methods, results and interpretations of others. The resourcing and publication of research by the School may otherwise be restrained only by accepted intellectual and disciplinary standards, and by the School's Ethics Code.

3.4 Academic freedom entitles individual academics to freedom within the law to discuss the subject they are teaching with students in a form that they shall determine, including the freedom to assert and discuss viewpoints that are controversial and that may offend students and other academics, or be regarded as harmful by them.

3.5 Subject to 4.3 below, academic freedom entitles students to question and disagree with perspectives put forward by a teacher both in classroom discussion and in written and other forms of assessment. The assessment of a student's participation in class or of the student's other work, on any grounds other than those provided in the programme's stated assessment criteria violates academic freedom.

3.6 Permanent members of academic staff must be free to propose and to teach courses in which the content, the materials to be used and teaching methods are their individual responsibility, and to include materials and viewpoints that may be disliked or even disapproved of by other faculty members. Courses will not be refused permission solely on the grounds of their content and/or teaching methods, provided those meet academic standards. They may be refused on the grounds of programme coherence, overlap with other courses or insufficiency of student interest.

3.7 The freedom of individual academics in the classroom is protected in the context of the School's collective authority over the curriculum. There may be some courses in some programmes (such as introductory courses or those that are intended to meet the requirements of external bodies) where the overall approach to the subject, materials to be used and teaching methods cannot be left to the discretion of an individual academic but are the responsibility of an academic department as a whole.

3.8 Staff and students are free to use LSE facilities to organise seminars, lectures, meetings and events with such speakers as they wish to hear, subject only to the School's Code of

Practice on Freedom of Speech and the availability of rooms. Denial of the School's estate on any other grounds violates academic freedom.

3.9 Provided an academic publication or research proposal meets minimum academic standards of rigour, originality and significance, denial of publication or of opportunities to pursue research or its dissemination, on grounds of disagreement with another academic's interpretations of research results or of the literature, or because an argument or the results of the research are controversial, violates academic freedom.

3.10 Academic appointments and promotions will be based on the quality of an applicant's or staff member's research, teaching and citizenship contribution. In making appointments the selection panel must only apply the School's Recruitment and Selection Criteria for Academic, Research and Teaching Appointments in assessing the quality of the applicant's scholarship, research and outputs. In promotions cases only the applicable guidelines for review and promotion may be considered by professors at departmental level and by the School's Promotions Committee. Denial of appointment or promotion on any grounds other than those provided in the relevant School criteria or guidelines violates academic freedom.

3.11 Research and teaching may be deemed unlawful under a range of legislative provisions, including but not limited to the Equality Act 2010, the Public Order Act 1986 and the Counter-Terrorism and Security Act 2015. Examples, which are not exhaustive, of unlawful activity include the following:

- expression of racial hatred or religious hatred, or incitement to such hatred or to violence or other criminal acts;
- direct support of an organisation that is proscribed in the UK;
- contravention of counter-terrorism legislation;
- breach of the peace;
- public order offences;
- contravention of health and safety legislation.

4. Protecting academic freedom: specific provisions

4.1 Freedom of expression. Subject to the exceptions in subsections 4.3-4.6 below, students and staff will not be subject to any disciplinary procedures for stating any opinion or asserting any fact about another student or member of staff, providing that doing so does not amount to unlawful conduct or violate the School's Discrimination, Harassment and Bullying Policy.

4.2 Teaching offensive aspects of a subject. Parts 4.14 and 4.18A of the School's Discrimination, Harassment and Bullying Policy will not apply to any conduct complained of in disciplinary proceedings that consists only of lawful speech made in a civil manner that expresses an opinion about or offers an interpretation of a matter relevant to the activities described in 3.1 above and occurs in the course of teaching, academic seminars and lectures or extra-curricular events at the School.

4.3 Obstructing the communication of research results or ideas. Academic freedom requires that staff and students do not: a) engage in any conduct that prevents staff, students or visitors from gaining access to any meeting, lecture, seminar, debate, class, tutorial or public event;

or b) engage in any conduct on the Premises, including inside or immediately outside lectures, seminars, debates, classes, tutorials and public events, that has the effect of preventing other members of staff, students or visitors with a right to be present from listening to a speaker, or to a discussion, or being able to question or criticise the views offered by the speaker or by other participants at the event. Such conduct does not include momentary interruptions of speakers that are normal in debate, or demonstrations or protests on the Premises or elsewhere that do not have the effect described in this part.

4.4 Campaigns against others. Academic freedom requires that staff and students do not call for the dismissal or disciplining of any member of staff or for the disciplining or expulsion of a student in any public forum in either of the following circumstances: i) before a formal complaint has been made against that member of staff or student, and disciplinary proceedings have commenced; or ii) subsequent to a finding by the School's disciplinary procedures that there are no grounds for dismissal or expulsion or other disciplinary sanctions, unless new disciplinary proceedings have been commenced by the School against that member of staff or student.

4.5 Personal harassment of others. Academic freedom requires that staff and students do not repeat allegations that there are grounds for dismissal, expulsion or disciplinary sanctions against another member of staff or student in the course of any direct contact with that other member of staff or student (whether in person or by electronic means of communication), where those allegations have been rejected in an earlier disciplinary procedure.

5. Appeals and sanctions

5.1 Any contravention of or departure from the provisions of this Code may render the individual(s) responsible liable to the appropriate sanctions or disciplinary procedures of the School.

5.2 An appeal by any LSE student or staff member against a decision made under this Code by the School's staff at the level of Vice-President or below may be made, within ten working days, to the President. The decision of the President shall be final.