



Freedom of Speech and Academic Freedom Policy

The purpose of this Policy

LMA is committed to protecting and actively promoting freedom of speech and academic freedom. This Freedom of Speech and Academic Freedom Policy (the '**Policy**') outlines the importance of free speech (particularly in our context as a higher education institution), the commitment to academic freedom, the expectations we place on our staff, students and those who interact with us, and the procedures and policies we have put in place.

Who this Policy applies to

This Policy applies to all staff within LMA whether permanent, fixed or temporary. This includes employees, officers, visiting, seconded and agency staff, contractors, agents, volunteers, interns, any third-party representative, subcontractor or agent, and any other person working in any context within LMA. It also applies to our students.

Adherence to this Policy is mandatory and noncompliance could lead to disciplinary action.

General principles

Freedom of speech is fundamental to our operations and purpose at LMA. LMA is a place where the views and identities of our students, staff and visitors may be freely expressed. At LMA we understand that we can only work at our best when each of us are encouraged to express and discuss ideas, to challenge conventional wisdom and to teach, research and present work without fear of being silenced or reprimanded beyond the limitations of the law.

LMA seeks to develop students who are curious, progressive, innovative and informed individuals, who engage with each others' differing backgrounds, outlooks and perspectives. They are also students who aspire to be courageous, speaking up if something isn't right. LMA also expects their staff and those working in any context within LMA to model these behaviours.

LMA accepts that, within the limits of the law, all ideas, beliefs and opinions may be expressed, discussed and challenged, even those which may be offensive or controversial. Freedom of speech is fundamental for our democratic society and for our personal creative and intellectual development.

LMA is also required to comply with freedom of speech legislation, including section 43 of the Education Act 1986 which requires governing bodies of higher education providers to take all reasonably practical steps to ensure free speech within the law on its premises. This Policy has also considered our duties and responsibilities under the Human Rights Act 1998, the Equality Act 2010, the Higher Education (Freedom of Speech) Act 2023, the government's 'Prevent' strategy and relevant health and safety law. This Policy operates in tandem with our Health and Safety policy and Equality, Diversity and Inclusion policy.

Our approach

LMA's approach to protecting and promoting freedom of speech and academic freedom is governed by the following principles:

- Freedom of speech is a foundation of democracy and our operations at LMA. It is central to the success of LMA and its students. Everyone should feel welcome and comfortable that they can express their views, within the law, at LMA without fear of judgement or discrimination;
- Developing and progressing as both individuals and as professionals in the creative sphere requires us to debate, discuss and challenge differing views, perspectives and conventional wisdom. As a higher education institution, achieving this requires us to foster a culture of respect, where all views and perspectives can be heard and considered in free and open academic debate;
- LMA sees respect for academic freedom as a primary value without which no Higher Education Institution can exist. Through its commitment to academic freedom, LMA is committed to ensuring that academic staff, students and other members of the organisation 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 staff have the right to criticise the functioning of higher education institutions, including their own, without placing themselves in jeopardy. LMA 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.

- LMA has a duty of care to its staff, students and those working within LMA. While LMA will seek to permit and promote free speech in all cases, it is not an absolute right and, on some occasions, it may be necessary to curtail its expression in order to reasonably protect the rights of others. In accordance with Human Rights legislation any interference must be proportionate and legal, seeking the least restrictive action which can adequately protect that other right. Accordingly, LMA expects that any restriction imposed will be infrequent;
- LMA will not tolerate any exercise of freedom of expression which breaches any aspect of criminal law or which forms an unjustifiable breach of LMA's Equality, Diversity and Inclusion policy, to the extent those principles are protected by law.
- LMA will take all breaches of freedom of speech seriously, will listen and investigate complaints and, where required, will provide adequate redress.

Roles and responsibilities

All members of the LMA community are expected to uphold and conduct themselves in accordance with the provisions of this Policy and in accordance with the 'LMA Way'.

All employees of LMA have a responsibility for implementing all policies and principles relating to free speech and promoting free speech in all aspects of their work. Specific behaviours and responsibilities are identified below:

Board of Directors	Providing a consistent and high-profile lead on all free speech issues; and Ensuring the effective application of this Policy and its procedures.
Senior Leadership Team	Reviewing plans for new courses and curriculum development to ensure they take account of the Policy and that those issues are covered in course quality reviews and self-assessment; Informing and consulting with staff on freedom of speech developments; Disseminating good practice; and Providing professional development to all staff ensuring our practices are current and in keeping with freedom of speech legislation and best practice.
Heads of Departments and others involved in managing curriculum.	Ensuring that students are aware of this policy, and of their responsibilities and rights in respect of free speech and of the procedures for making complaints; Taking appropriate and immediate action in the event of incidents of breaches of this Policy; Fully addressing and promoting freedom of speech issues in course self-assessment and development plans; and Addressing and promoting freedom of speech issues through staff appraisal and staff development.
Students	Having high expectations of LMA to tackle discrimination and to promote freedom of speech; Treating all staff, students and visitors with respect at all times, regardless of their views; and Reporting incidents of breaches of this Policy, harassment, victimisation or discrimination to a member of staff.

All members of LMA have a duty to act in accordance with this Policy, and therefore to treat colleagues with respect at all times and not to discriminate or harass other students or members of staff.

Any student or member of staff who breaches the policy may face disciplinary action.

Any student or member of staff who has a complaint concerning breach of this policy may bring such a complaint in accordance with procedures in the Student Handbook and/or staff contract, as appropriate.

Lawful restrictions on free speech

LMA will not unlawfully or unreasonably restrict free speech by its students and staff or on its campuses. LMA is committed to hosting events (including student seminars and workshops) led by a diverse range of individuals from across all viewpoints and experiences. We acknowledge that this will

also include permitting speakers to address difficult, controversial and/or challenging topics. The expression of unpopular or controversial views, including those which challenge or criticise LMA as an institution, shall not be unlawfully restricted or prevented provided they do not breach the civil or criminal law.

Speakers and those at LMA must be given the opportunity to fully express and defend their viewpoints, provided they do so within the law. LMA will seek to allow events to proceed freely within minimal restrictions and censorship; however, we accept that promoting fair, balanced and free debate will, in some cases, require specific arrangements to be implemented to ensure the protection of our staff and students and compliance with our legal obligations.

The following list of reasonable grounds for refusal or restriction of events or speech is for illustrative purposes only and is not an exhaustive list. LMA will restrict or refuse to provide a platform for speech which does or is likely to:

- incite criminal acts, violence or a breach of the peace;
- promote or express unlawful views;
- promote or express the views of organisations which are illegal or are included in the UK Governments proscribed list under Prevent legislation;
- promote or express intent to participate in acts of terrorism; and/or
- promote or express radicalised or extremist views.

Where our student societies intend to host an event, LMA will work with them to support and promote free speech. LMA will ensure procedures arranged with our student societies are fair, transparent and will allow events to continue within the law and LMA regulations.

Where LMA places a restriction on events or speakers, LMA shall provide to the event organiser or the speaker (as appropriate) the reasons for the decision within 5 working days and, in any case, as soon as reasonably practical ahead of the (proposed) commencement of the event.

Complaints and raising concerns

LMA has a robust Complaints Policy and procedure where all complaints are monitored for any forms of discrimination or breaches of this Policy. Complaints and concerns shall be treated confidentially. LMA is committed to promoting a culture where everyone feels safe and comfortable raising concerns and complaints without fear of being penalised or discriminated against for their courage in speaking up.

LMA provides a supportive environment for those who make claims regarding free speech issues (whether concerning unjustified or abusive restrictions on expression, or speech which under law ought to be restricted, or any other situation). Any breach of this Policy or any criminal act in respect of freedom of speech issues shall be treated as a serious disciplinary offence and may, where appropriate be referred to the relevant authorities.

Employees felt to be unfairly restricted or discriminated against by the actions or speech of other employees (whether in respect of their exercise of free speech or due to raising concerns in respect of a free speech issue) should raise the matter under the Staff Grievance guidelines. Where such actions, speech and breaches of this Policy are perpetrated by students, either towards employees or other students, this will be dealt with under the Student Disciplinary Procedure.

In the course of their work or study any students or employees whose right to free speech or right to be protected from harm and discrimination in respect of the exercise of free speech has been

breached by members of the public or those from partner organisations, LMA will take appropriate action and provide appropriate support.

Any behaviours considered as a Safeguarding and/or Child Protection issue will be dealt with under the Safeguarding Policy.

All complaints will be analysed from an equality, diversity and inclusivity perspective to eliminate any discriminatory practice that may occur in accordance with LMA's Equality, Diversity and Inclusion policy.

Accessibility

If you require this document in an alternative format please contact the Head of Student Experience, Hannah Talbot, on 0151 909 9000 or hannah.talbot@lma.ac.uk

Review of this Policy

LMA will monitor and review this Policy and procedures on an annual basis to ensure they conform to LMA's values, Equality, Diversity and Inclusivity Policy and to all external regulatory and legal requirements.

If you have any comments or suggestions for this Policy, please direct them to Rachel Riley, LMA Strategic Director.

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