

Academic Freedom and Free Intellectual Inquiry Policy

Contents

1. Purpose	2
2. Scope.....	2
3. Definitions.....	2
4. Policy Principles	3
4.1 Academic Staff Rights	3
4.2 Student Rights	3
4.3 Expression of Views	3
5. Responsibilities	3
5.1 The Institute	4
5.2 Academic Staff and Students.....	4
5.3 External Visitors and Guest Speakers.....	4
6. Grievances.....	5
7. Related Documents.....	5
8. Related Legislation.....	5
9. Version Control	5

1. Purpose

This policy provides guidelines for academic freedom and free intellectual inquiry at Higher Education Leadership Institute (HELI). Academic freedom and free intellectual inquiry are essential to the Institute’s core mission of advancing knowledge, fostering critical thinking, and contributing to societal development. HELI is committed to fostering an environment where there is freedom to pursue and share ideas while emphasising the importance of respect, relevant legislation, institutional policies, and accepted ethical practices within Australia’s higher education community.

2. Scope

This policy applies to all students and staff of HELI, including casual staff, third-party partners, external visitors, and guest speakers. It covers all forms of academic activity including teaching, research, and scholarship.

3. Definitions

Term	Definition
<i>Academic freedom</i>	As defined in Schedule 1 of the Higher Education Support Act 2003 ¹ : (a) the freedom of academic staff to teach, discuss, and research and to disseminate and publish the results of their research; (b) the freedom of academic staff and students to engage in intellectual inquiry, to express their opinions and beliefs, and to contribute to public debate, in relation to their subjects of study and research; (c) the freedom of academic staff and students to express their opinions in relation to the higher education provider in which they work or are enrolled; (d) the freedom of academic staff to participate in professional or representative academic bodies; (e) the freedom of students to participate in student societies and associations; (f) the autonomy of the higher education provider in relation to the choice of academic courses and offerings, the ways in which they are taught and the choices of research activities and the ways in which they are conducted.
<i>Intellectual inquiry</i>	The practice of engaging in critical thinking, questioning and analysis to determine thought and reason to gain a better understanding and contribute to the pursuit of knowledge.
<i>Academic staff</i>	An appointed staff member whose primary role is teaching, research, and/or senior management at the Institute.
<i>Undue interference</i>	Inappropriate constraints or pressures that impede the legitimate exercise of academic freedom or free intellectual inquiry.
<i>Undue institutional constraint</i>	Restrictions imposed by the Institution that go beyond reasonable governance requirements and improperly limit academic freedom or free intellectual inquiry.

¹ Schedule 1 – Dictionary, Higher Education Support Act 2003, as retrieved on 4 April 2025 from <https://www.legislation.gov.au/C2004A01234/latest/text>.

4. Policy Principles

The following principles form the foundation for this policy and inform its design and implementation. HELI staff and students have the right to exercise their own judgment in engaging in learning, teaching, and research without undue interference or reprisals provided that there is no breach of relevant legislation, institutional policies, or professional ethical standards.

4.1 Academic Staff Rights

Academic staff members at HELI are experts in their fields and make valuable contributions to knowledge and public discourse. The Institute recognises academic freedom as essential to its teaching, research, and scholarship mission, and commits to protecting this freedom. In particular, academic staff have the right to:

- undertake scholarship that informs their teaching and conduct research that generates new knowledge and creative outputs;
- exercise professional judgment in determining the intellectual content of their courses and units, to provide a balanced presentation that enhances student learning; and
- express informed views respectfully and freely in their areas of expertise, without undue institutional constraints.

4.2 Student Rights

As members of HELI's academic community, students are encouraged to:

- develop a capacity to critically evaluate information, challenge assumptions, and engage in the sustained and independent pursuit of knowledge; and
- participate in respectful debate with academic staff and other students to foster robust discussions and the sharing of thoughts and experiences.

4.3 Expression of Views

In acknowledging, accepting, and valuing the right to academic freedom and free intellectual inquiry, HELI does not endorse the views expressed by its academic staff and students. All views expressed by academic staff and students will be taken to be the views of the individual who expresses them, even when an affiliation with the Institute is indicated. Views on behalf of HELI can only be expressed by designated executives or representatives if specifically authorised to do so.

Academic freedom and free intellectual inquiry will not be accepted as a defence for acting unlawfully, disrespectfully, or for exercising poor judgement. In exercising freedom of intellectual inquiry, academic staff and students are expected to always observe the *Education Centre of Australia (ECA)*² *Staff Code of Conduct* and *Student Code of Conduct* respectively, and act in accordance with the Mission and Values of the Institute.

5. Responsibilities

The right to academic freedom and free intellectual inquiry carries the associated responsibility to exercise that freedom in a reasonable, balanced, respectful, and ethical manner, and in the pursuit and dissemination of knowledge.

² Education Centre of Australia (ECA) is HELI's parent company.

5.1 The Institute

HELI supports the rights of its academic staff and students to engage in intellectual inquiry and foster critical debate. The Institute supports these rights by providing and facilitating a positive environment that promotes:

- robust and collegial debate;
- the testing and sharing of new ideas, theories and topics of interest;
- academic integrity and honesty in all scholarly activities;
- the responsible conduct of research and scholarship;
- a diversity of opinion and the right to publicly express views without fear of unfavourable, unfair, or prejudicial treatment; and
- the exercise of professional judgment in teaching, research, and scholarship.

The Institute has both the right and the obligation to take disciplinary action as necessary against staff and students whose behaviour violates the right of academic freedom and free intellectual inquiry of others, or who otherwise behave in a manner contrary to this policy.

5.2 Academic Staff and Students

In exercising their right to academic freedom and free intellectual inquiry, academic staff and students shall:

- observe the ECA Staff Code of Conduct (for Staff) and Student Code of Conduct (for Students);
- act lawfully and ethically;
- ensure that all discourse of academic freedom of expression is undertaken reasonably, in good faith, and in accordance with appropriate research ethics considerations;
- recognise and acknowledge that they are not speaking on behalf of the Institute;
- offer opinion and commentary on matters within their acknowledged areas of expertise;
- disclose any relevant conflicts of interest (e.g., personal and/or professional relationships, and external funding sources);
- accept the critical scrutiny of others and engage constructively with opposing viewpoints; and
- respect the rights of others to express their views and not impinge on the ability of others to engage freely in academic debate.

Within the student body specifically, academic staff shall:

- promote freedom of intellectual inquiry, critical thinking, and creative reasoning;
- encourage, facilitate and support positive, analytical discourse; and
- present diverse perspectives on contentious issues.

5.3 External Visitors and Guest Speakers

HELI welcomes external visitors and guest speakers who contribute to the academic environment through presentations, guest lectures, and other scholarly activities. External visitors and guest speakers are expected to uphold the principles of respectful discourse outlined in this policy. Academic staff who invite external contributors are responsible for ensuring these contributors are informed about relevant institutional policies.

6. Grievances

Any academic staff member or student who wishes to appeal a decision under this policy may do so in accordance with the *ECA Complaint Handling Policy* or *Student Academic Grievance and Appeals Policy and Procedure*, respectively.

7. Related Documents

- ECA Staff Code of Conduct
- Student Code of Conduct
- Academic Integrity Policy and Procedure
- Copyright Policy
- Responsible Conduct of Research Policy and Procedure
- Breaches of Research Integrity Procedure
- Higher Degree Research Policy and Procedure
- ECA Complaint Handling Policy
- Student Academic Grievance and Appeals Policy

8. Related Legislation

- Tertiary Education Quality and Standards (TEQSA) Act 2011 (Cth)
- Higher Education Standards Framework (Threshold Standards) 2021
- Australian Qualifications Framework (AQF)
- Education Services for Overseas Students (ESOS) Act 2000
- The National Code of Practice for Providers of Education and Training to Overseas Students 2018 (The National Code)
- Higher Education Support Act 2003 (Cth)
- Privacy Act 1988 (Cth)

9. Version Control

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Document Owner	Dean (Academic)
Approved by	Academic Board

Version	Summary of changes	Approval date	Next review date
1.0	Document creation and initial approval	Academic Board 20 February 2016	
1.1	Minor grammatical changes to policy	Academic Board 20 July 2016	
1.2	To incorporate nomenclature of “educator”	Dean 23 September 2016	
1.3	To incorporate cross-reference to Staff	Dean 24 April 2018	

	Induction and Staff Handbook		
2.0	To incorporate recommendations from the French Review	Academic Board 26 November 2019	
2.1	Update to HESF2021 and other minor changes	Dean 12 November 2021	
2.2	There are no required updates to the document in the current period; the review date is extended to 18 March 2025.	CEO 18 March 2024	
2.3	CEO reviewed the policy and extended the review date to 18 September 202	CEO 30 January 2025	
3.0	Harmonised policy across ECA Higher Education	Academic Board 6 June 2025	6 June 2027