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# Policy Statement on Academic Freedom and Research

Academic freedom is the legally-established right of members of academic and academic related staff to express their opinions without fear of losing their jobs because of other people’s hostility to those views. It underpins the right of academic staff to exercise their own best judgement in the pursuit of knowledge and the conduct of research. Without the underlying guarantee of academic freedom, it would be considerably more problematic for university staff to engage freely in research of their choosing, to pursue the path of their research where the logic of the results, their intellectual curiosity and professional expertise may lead them, and to publish the results. Professional integrity in research would be endlessly compromised by staff having to weigh the potential consequences of their expressions of opinion for their continuing employment.

***The legal basis of academic freedom***

The legal basis of academic freedom is expressed in Section 202(2) of the Education Reform Act 1988, which requires the University “to have regard to the following needs:

1. to ensure that academic staff 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 they may have at their institutions;
2. to enable qualifying institutions to provide education, promote learning and engage in research efficiently and economically; and
3. to apply the principles of justice and fairness.”

The employment and privileges of academic researchers must thus not be put in jeopardy by reason of objections, however weighty, raised against the opinions or findings they arrive at in the course of their professional activity in scholarship, research or teaching, or against the opinions they express in a lay capacity. Similarly, academic freedom entails the right to publish the findings of research without threats grounded in disapproval of or concern over those findings being directed to the employment or privileges of the researcher.

It deserves emphasis that academic freedom is freedom within the law. This involves not only national law but also European and international law. In this context, the bounds set upon free choices of research topics by a number of contractual constraints include, notably, the employment contracts of individual members of the lecturing staff, whose conditions of service specify that they should perform ‘duties and responsibilities, appropriate to (their) academic discipline and appointment, determined from time to time by (their) Head of Department’. They also include the constraints residing in contracts with external sponsors of research which entail obligations to pursue particular research objectives and which may also contain restrictions on publication.

***Academic freedom and confidentiality***

External sponsors often seek the insertion of clauses of confidentiality in research contracts, usually invoking the concept of ‘commercial confidence’ necessary to protect their products, plans, know-how and other intellectual property. It is not compatible with the basic mission of the University to restrain the dissemination of research results beyond a short period. The University’s view is therefore that such clauses should be restrained to the minimum scope and duration consistent with the protection of intellectual property agreed with the sponsor as essential. When such clauses are contractually accepted by the University, their legal force over-rides that of academic freedom.

***Academic freedom and responsibility***

All staff should be aware that academic freedom has a fundamental and far-reaching character. The right of academic freedom is balanced, however, by the obligation to use that freedom responsibly, in the context of the professional values in which it is grounded. Implicit in the concept of academic freedom is the value to society of the independent, professional opinions of academic staff. In deserving such implicit trust, academic staff need in turn to be thoughtful about the scope of their professional authority, and resist offering interpretations of data which trespass beyond the limits of that expertise without signalling the lay status of such statements. Not to respect such a distinction is to risk laying false claims to expertise, which is an ethical abuse.

***Institutional support for the individual researcher’s academic freedom***

An important ingredient in the confidence felt by individual researchers is the trust that they feel the University invests in the professional quality of their research. The University therefore wishes to make it plain to them that it will publicly defend their academic freedom as researchers, should the need arise. Equally, the University should feel able to trust its researchers in their use of academic freedom. The obligations are thus mutual.

The University’s defence of academic freedom should be able, in parallel, to support a researcher’s right to publish evidence which has been established by the use of ethical and replaceable research methods. Correspondingly, the University regards it as an obligation of members of staff to gather, analyse, interpret and explain such evidence in an expert, professional and responsible way.

Part of the concept of professional responsibility thus lies in the adherence to standards of procedure, evidence, argument and proof shared by the professional community of which the researcher is a member. However, pursuing the analysis, interpretation and explanation of the results of a research project can sometimes lead the researcher to conclusions which run strongly counter to prevailing orthodoxies. Defending the reasoning behind such unorthodox conclusions may take considerable courage on the part of researchers when faced with a sceptical reception by their scientific or scholarly peers. Yet it is sometimes precisely these unorthodox findings that in time overturn the paradigms of the day, and change the perspective of the international research community.

The considered professional judgement that underlies the defence of a researcher’s reasoned arguments from evidence is the core of his or her academic expertise. The University will give every encouragement to researchers to maintain their independence of professional judgement in such matters.