

This Tip Sheet is to assist UQ staff who work on drafting or amending policies and procedures at UQ. The information contained provides guidance on compatibility with the UQ principles for the protection of freedom of speech and academic freedom. Further information about policies and procedures at UQ is available in the UQ Policy Handbook and on the Enterprise Governance website.

Principles for the protection of freedom of speech and academic freedom

The [Freedom of Speech and Academic Freedom Policy](#) provides a commitment to upholding principles for the protection of freedom of speech and academic freedom at UQ.

The principles are adapted from the Model Code for the Protection of Freedom of Speech and Academic Freedom in Australian Higher Education Providers (French Model Code), adopted following the 2019 [Independent Review of Freedom of Speech in Australian Higher Education Providers](#).

Central concepts

There are four central concepts on which the French Model Code is based¹:

- (1) Academic freedom is a defining value and characteristic of universities and freedom of speech of staff, students and visitors is a paramount value.
- (2) Academic freedom and freedom of speech are matters of public concern that should be addressed in a clear, comprehensive and authoritative way.
- (3) “Umbrella principles”, dealing with freedom of speech and academic freedom, should inform all other rules and policies.
- (4) Broadly framed rules, codes and policies that involve the exercise of administrative discretions and evaluative judgments should not be allowed to erode freedom of speech and academic freedom.

How freedom of speech and academic freedom applies to policies at UQ

In relation to policy development, staff need to have regard to the principles when reviewing, drafting or proposing to amend any UQ policy or procedure.

Example:

Broadly framed clauses in a policy or procedure that involve the exercise of administrative discretion and evaluative judgement that could limit freedom of speech or academic freedom may not be consistent with the principles (see Central Concept 4 above).

When drafting a policy or procedure that includes such clauses, it could be made clear:

- that the discretion is to be exercised in accordance with the principles for the protection of freedom of speech and academic freedom, as set out in UQ’s Model Code; or
- that the scope of the discretion is defined to relate to specific matters in the policy.

Compatibility review

UQ’s Freedom of Speech Assessment Group (FSAG) reviews new and amended policies and procedures for their compatibility with the principles. All new and amended UQ policies and procedures must be submitted to FSAG for endorsement, prior to being approved, to ensure they are compatible with the principles. T

To streamline the process, policy drafters must complete a [Statement of Compatibility Form](#) for new and amended policies and procedures. Governance and Policy provides secretariat support to FSAG and can assist staff with the compatibility review process. Contact us on fsagsecretariat@uq.edu.au or refer to the [Compatibility Assessment website](#) for more information.

¹ *Review of the Adoption of the Model Code on Freedom of Speech and Academic Freedom*; Professor (Emeritus) Sally Walker; December 2020 (p.9).



Frequently Asked Questions (FAQ)

- Q: Why is freedom of speech and academic freedom relevant to UQ policies and procedures?
- A: The University's governing body, [UQ Senate](#) has endorsed a set of principles for the protection of freedom of speech and academic freedom and declared its commitment to upholding these principles. In applying this commitment, UQ is to have regard to the principles in the drafting, review or amendment of any policy (or procedure).
- Q: Where can I read the principles and how they apply at UQ?
- A: The principles are in the [Freedom of Speech and Academic Freedom Policy](#).
- Q: Do the principles apply to all UQ policies and procedures, or only some?
- A: The principles apply to all UQ policies and procedures. While not all policies and procedures may be impacted by freedom of speech and academic freedom, regard must be given to the principles each time a policy or procedure is developed or substantively amended.
- Q: How do I demonstrate that regard has been given to the principles?
- A: Complete a [Statement of Compatibility Form](#) and submit it with the policy or procedure to UQ's Freedom of Speech Assessment Group (FSAG) for endorsement. All new and amended policies and procedures must be endorsed by FSAG before they can be approved for publishing.
- Q: What will happen if FSAG forms the view that the new or amended policy or procedure is not consistent with the principles?
- A: The secretary will contact the Policy Owner and provide feedback from FSAG on how the policy or procedure was not consistent with the principles. The Policy Owner can meet with FSAG to discuss the issues and ways to make the document compatible. If agreement cannot be reached, the matter will be referred to the University Senior Executive Team for consideration.
- Q: Whom can I contact for more information about freedom of speech and academic freedom in UQ policies and procedures?
- A: Governance and Policy can assist with advice on compatibility assessments and submission to FSAG. You can email us on governance@uq.edu.au.