

Academic Freedom and Freedom of Speech Policy

1. Purpose

The purpose of this policy is to:

- acknowledge the importance of academic freedom and freedom of speech in higher education
- state the Institute's commitment to promoting and protecting academic freedom and freedom of speech
- define how the Institute will manage threats to academic freedom and freedom of speech at Whitecliffe.

2. Scope

This policy applies to all Whitecliffe staff, students and members of Whitecliffe committees and boards.

3. Related Policies

This policy should be read in conjunction with the following Whitecliffe policies:

- Access and Equity Policy
- Student Code of Conduct Policy
- Bullying, Discrimination and Harassment Prevention Policy
- Wellbeing and Safety Policy
- Complaints and Appeals Policy
- Staff Code of Conduct
- Staff Safety and Wellbeing Policy

4. Related Documents

This policy should be read in conjunction with the following related documents:

- Higher Education Standards Framework (Threshold Standards) 2021
- Higher Education Support Act 2003
- TEQSA Guidance Note: Academic Leadership <https://www.teqsa.gov.au/guides-resources/resources/guidance-notes/guidance-note-academic-leadership>

5. Definitions

In the context of this Policy, the following definitions apply:

Item	Definition
Academic Freedom	Means* the following: a) the freedom of academic staff to teach, discuss, and research and to disseminate and publish the results of their research;

Item	Definition
	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>*Higher Education Support Act 2003</i>
Academic Board	Means Whitecliffe's governing body responsible for all matters relating to learning, teaching and scholarship
Governing Board ("the Board")	Means Whitecliffe's governing body collectively accountable for the governance and performance of the Institute overall, including meeting and continuing to meet the requirements of the <i>Higher Education Standards Framework (Threshold Standards) 2021</i> .
Governing body	Means a governance entity with ultimate decision-making authority over the Institute and its operations
Freedom of Speech	Means the right to freedom of expression in any medium, for example written and oral communications, the media, public protest, broadcasting, artistic works, and commercial advertising. The right protects not only favourable information or ideas, but also unpopular ideas including those that may offend or shock (subject to limitations in law).
Higher Education Standards Framework (Threshold Standards) 2021 (HESF)	Means the minimum acceptable requirements for the provision of higher education in or from Australia by higher education providers registered under the TEQSA Act.
Imposed by law	Means the restrictions, burdens or conditions on a freedom include restrictions, burdens or conditions imposed by statute law, the common law (including the law of defamation), duties of confidentiality, restrictions deriving from intellectual property law and restrictions imposed by contract.
Whitecliffe (or "The Institute")	Means Whitecliffe Institute of Creative Arts and Technology Pty Ltd trading as The Fashion Institute.

6. Policy Statement

- 6.1. Academic freedom is acknowledged in the Higher Education Standards Framework (Threshold Standards) 2021 (HESF). Whitecliffe and its governing bodies take key steps to ensure academic freedom and freedom of speech are upheld and protected as required by HESF Standard 6.1.4.
- 6.2. Whitecliffe is committed to upholding academic culture and values by promoting and protecting academic freedom and freedom of speech while respecting the provisions of relevant legislation, Whitecliffe policies and accepted ethical practices of the higher education community in Australia.

7. Principles:

- 7.1. Whitecliffe supports lawful Freedom of Speech and Academic Freedom.
- 7.2. The Whitecliffe Board creates and protects a culture of Academic Freedom and Freedom of Speech.
- 7.3. Whitecliffe staff and students have the right to pursue open inquiry without fear of victimisation and unfair treatment.
- 7.4. Whitecliffe staff and students are entitled to Academic Freedom and Freedom of Speech exercised in connection with Whitecliffe, subject to the following limitations:
 - a) Complying with conditions, restrictions or prohibitions as imposed by law.
 - b) Following ethical practices of the higher education community in Australia.
 - c) Applying reasonable and proportionate regulation of conduct to enable Whitecliffe to:
 - i. Fulfill its duties towards Student and Staff Wellbeing.
 - ii. Discharge teaching activities.
 - iii. Give effect to its legal duties.
- 7.5. Exercising Academic Freedom and Freedom of Speech, subject to the above limitations, does not constitute misconduct.
- 7.6. Students and staff are expected to adhere to Whitecliffe policies and procedures, Whitecliffe's Code of Conduct, and use common courtesy and respect in exercising their right to Freedom of Speech.
- 7.7. Whitecliffe respects the rights of its students and staff, within the law and, as they apply, within its policies and procedures, to express views as private citizens, provided that it is clear that these are the views of the individual concerned and not the views of Whitecliffe.
- 7.8. Whitecliffe is committed to nurturing student and staff wellbeing through a culture of diversity and inclusion and embedding these in all everyday activities.

8. Responsibilities

- 8.1. The Governing Board is responsible for ensuring that academic freedom and freedom of speech are upheld and protected.
- 8.2. The Academic Board is responsible for promoting the principles of Academic Freedom and Freedom of Speech Policy.

8.3. The Chair of the Academic Board is responsible for the review and assessment of complaints relating to this Policy.

9. Procedure

9.1. Application

9.1.1. Whitecliffe ensures that all students and staff are familiar with this Policy by making this Policy publicly available.

9.1.2. Staff are responsible for identifying relevant elements of this Policy and embedding these into their role and function.

9.1.3. Whitecliffe staff ensure that materials developed (including but not limited to frameworks, policies, curriculum, etc.) are aligned with the principles of this Policy.

9.2. Complaints

9.2.1. Complaints relating to potential failure to uphold Academic Freedom and Freedom of Speech as outlined in this Policy will be handled in accordance with the Whitecliffe Complaints and Appeals Policy.

9.2.2. All complaints are assessed by the Chief Academic Officer (CAO) or, in the event of a conflict of interest, the CAO may nominate the Chair of the Academic Board as delegate.

9.2.3. The outcomes of complaints relating to academic freedom and freedom of speech are reported to the Academic Board.

10. Change and Version Control

Version	Date Approved	Authored by	Approved by	Description
v1.0 28042023	25 May 2023	Collaborative	Academic Board	New Policy
V1.1 Aug 2026	08.09.2026	Collaborative	CEO	Health check – minor amendments; terminology, branding, and formatting updates.

11. Policy Information

Policy owner:	CAO
Approved by:	CEO
Approval date:	08/09/2026
Status:	Approved
Next review due:	May 2028