

Freedom of Speech and Academic Freedom Procedures

Policy Category	Policy/guideline/ Procedure /rules		
Review	3 years from date of Approval		
Policy Code	AP001P		
Contacts	policy@imc.edu.au		
Version	Approval Authority	Approval Date	Commencement Date
2024.06	Deputy President (Education)	27 June 2024	27 June 2024

1. PURPOSE

The Australian National Institute of Management and Commerce (the Institute) promotes and protects free intellectual inquiry and expression in its learning, teaching, scholarship and research activities.

The Institute:

- (1) Ensures that the lawful freedom of speech of staff, students and visitors to the Institute is treated as a paramount value and, therefore, is not restricted nor its exercise unnecessarily burdened other than those imposed by law and set out in the Principles of the Policy.
- (2) Ensures that academic freedom is treated as a defining value by the Institute and is not restricted nor its exercise unnecessarily burdened other than those imposed by law and set out in the Principles of the Policy.
- (3) Affirms the importance of the Institute’s institutional autonomy under law in regulating its affairs, including protecting freedom of speech and academic freedom.
- (4) Requires mutual respect and consideration internally and externally, with tolerance of different views and cultures.

2. PROCEDURES

2.1 Operation

The Institute shall have regard to the principles in the *Freedom of Speech and Academic Freedom Policy* (the Policy) in drafting, reviewing, or amending any non-statutory policies or rules and in drafting, reviewing, or amending delegated legislation under any delegated law-making powers.

- (1) Non-statutory policies and rules of the Institute shall be interpreted and applied, so far as is reasonably practicable, in accordance with the principles in the Policy.
- (2) Any power or discretion under a non-statutory policy or rule of the Institute shall be exercised in accordance with the principles in this Policy.
- (3) The Policy prevails, to the extent of any inconsistency, over any non-statutory policy or rules of the Institute.
- (4) Any power or discretion conferred on the Institute by a law made by the Institute in the exercise of its delegated law-making powers shall be exercised, so far as that law allows, in accordance with the principles of the Policy.
- (5) Any power or discretion conferred on the Institute under any contract or workplace agreement shall be exercised so far as it is consistent with the terms of that contract or workplace agreement, in accordance with the principles of this Policy.

2.2 Report and Adjudication Process

- (1) Any student, member of academic staff or member of administrative staff who has their freedom of speech or academic freedom impinged or believes it has been impinged or perceives another student's, member of academic staff's or member of administrative staff's freedom of speech or academic freedom to have been impinged may make a complaint in writing to the President of the Institute who will provide a report within two weeks of receipt of the complaint to the Chair of the Institute's Council for adjudication within two weeks of the report from the President.
- (2) The President of the Institute and the Chair of the Institute's Council may collect evidence, including interview information.
- (3) The Chair of the Institute's Council, with or without consulting other members of the Council, will determine whether the complaint is upheld, and when the complaint is upheld, will implement actions to address and resolve the complaint.
- (4) The Chair of the Institute's Council will report on their actions to the first meeting of the Council after they adjudicate a complaint.

3. RELATED DOCUMENT

Freedom of Speech and Academic Freedom Policy

4. VERSION CONTROL

Historical Version	Approved by	Approval Date
2021.04	Academic Board	19 April 2021
2016.08	Academic Board	15 August 2016

The Deputy President (Education) oversees the implementation and compliance of this policy. Please contact the Deputy President's office for any enquiries or clarifications related to this policy.