

Academic Freedom and Freedom of Speech Policy

Document

Document Name	Academic Freedom and Freedom of Speech Policy
Brief Description	This policy publicly affirms the commitment of the Sydney Institute of Business and Technology (SIBT) to academic freedom and freedom of speech.
Responsible Officer	Academic Director
Delegated Approver	Academic Board
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Version Control

Date Approved	Version No.	Summary of Changes	Approver
14/9/2023	1	Initial Release	Academic Board
14/8/2025	2	Responsible Officer identified. Added The Duty to Foster the Wellbeing of Staff and Students clause and the Review Clause. Improved readability and clarity. Policy title changed to include Freedom of Speech.	Academic Board (LTC Endorsed 23/7/25)

Related Documents

Name	Location
Student Complaints and Appeals Policy	SIBT Website
Academic Integrity Policy	SIBT Website
Student Code of Conduct	SIBT Website
Staff Code of Conduct	SIBT Website
Higher Education Support Act 2003	https://www.legislation.gov.au/
Higher Education Standards Framework (Threshold Standards) 2021	https://www.legislation.gov.au/
Report of the Independent Review of Freedom of Speech in Australian Higher Education Providers – March 2019	Here
Report of the Review of Implementation of the French Model Code – December 2020	Here

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1. Purpose

- a) The purpose of this Policy is to ensure the protection of academic freedom and freedom of speech of all members of the SIBT Academic Community within lawful parameters.

2. Definitions

Term	Meaning
Academic Freedom	<p>The autonomy of the higher education provider in relation to the choice of academic courses and offerings, the ways in which they are taught, the choices of scholarly activities and the ways in which they are conducted.</p> <p>The freedom of academic staff to:</p> <ul style="list-style-type: none"> teach, discuss, and engage in scholarly activities, and to disseminate and publish the results of their scholarly engagement activities; Participate in professional or representative academic bodies. <p>The freedom of academic staff and students to:</p> <ul style="list-style-type: none"> engage in intellectual inquiry, to express their opinions and beliefs, and to contribute to public debate, in relation to their subjects of study and scholarly engagement activities; express their opinions in relation to the higher education provider in which they work or are enrolled; <p>The freedom of students to:</p> <ul style="list-style-type: none"> participate in student societies and associations.
Freedom of Speech	<p>Known also as Freedom of Expression, the right to express opinions, thoughts, ideas, and beliefs without fear of censorship, retaliation, or punishment by the government or other entities. It encompasses various forms of communication, including spoken, written, visual, and symbolic expressions.</p> <p>Freedom of Speech is subject to some limitations or restrictions as outlined in this Policy.</p>
Scholarly (engagement) activities	<p>Those activities concerned with gaining new or improved understanding, appreciation and insights into a field of knowledge, and engaging with and keeping up to date with advances in the field.</p> <p>Key components of scholarship as identified by TEQSA are that it advances knowledge or professional practice in a field or transmits advances through contemporary approaches to teaching and learning, or research and training.</p> <p><i>TEQSA Compliance Guide: Scholarship v3.0</i></p>
Speech	<p>Extends to all forms of expressive conduct including oral speech and written, artistic, musical and performing works and activity, and communication using social media; the word 'speak' has a corresponding meaning.</p>

3. Application

- a) This Policy applies to all academic staff (regardless of their employment status – ongoing, casual, honorary, visiting/ guest), and SIBT students. It further extends to individuals who contribute to the academic environment, such as contractors, volunteers, and members of governing boards and committees.

4. Policy Statement

- a) SIBT will act with integrity and respect for academic staff and students in applying principles of academic freedom and freedom of speech.
- b) SIBT promotes, encourages, and endorses the concepts of academic freedom and freedom of speech and supports academic staff and students in their right to engage in critical enquiry, scholarly activities, and robust public debate. Academic staff and students who exercise their academic freedom and freedom of speech will not attract any penalty, nor will it constitute misconduct.
- c) SIBT may impose reasonable and proportionate restrictions on academic freedom or freedom of speech, where it is necessary to:
 - i. Comply with law;
 - ii. Prevent harassment, vilification, intimidation or violence;
 - iii. Prevent conflicts between the expression of academic staff and their ability to carry out their role effectively;
 - iv. Comply with legal obligations (including but not limited to contractual obligations with third parties pertaining to such matters as confidentiality and protection of intellectual property);
 - v. Protect SIBT against intentionally untrue or defamatory commentary which causes serious reputational damage.
- d) Academic staff who make lawful public comment in their personal capacity will not be constrained by their employment with SIBT. However, SIBT may prevent them from identifying themselves as associated with the institution, the partner university, or Navitas, when speaking on matters outside their academic expertise.
- e) Academic Staff will not be prevented from including academic content solely on the grounds that it may trigger, offend, or shock any student. However, in the interests of fostering SIBT's duty of care to students, it is requested that academic staff offer a warning that upcoming material may be confronting, enabling students to make individual decisions about their own exposure.

5. Responsibilities

Responsibility	CDP	AD	AB	GB
Maintain currency of policy	C	R	A	I
Foster an environment that aligns with policy principles among Academic Staff	A	R	A	
Assess situations, and apply restrictions where required	A, R		C	I
Seek reports on the implementation of the principles within SIBT	A	R	A	I
CDP = College Director & Principal, AD = Academic Director, AB = Academic Board, GB = Governing Body R = Responsible, A = Accountable, S = Supporting, C = Consulting, I = Informed				

6. Compliance

- a) The College Director and Principal will ensure that staff are informed about this Policy through staff meetings and other internal communications.
- b) The Academic Director is responsible for monitoring the effectiveness of this Policy and periodically advising the Academic Board on its effectiveness.
- c) Students will be made aware of this Policy through the Student Lounge and SIBT website and through their educational experiences with their academic staff.
- d) Academic staff who breach this Policy will be dealt with in accordance with the Staff Code of Conduct.
- e) Students who breach this Policy will be dealt with in accordance with the Student Code of Conduct.
- f) SIBT maintains compliance with the legislation relating to academic freedom and freedom of speech.

7. The Duty to Foster the Wellbeing of Staff and Students

- a) Includes the duty to ensure that no member of staff and no student suffers unfair disadvantage or unfair adverse discrimination on any basis recognised by law including race, gender, sexuality, religion and political beliefs;
- b) Includes the duty to ensure that no member of staff and no student is subject to threatening or intimidating behaviour by another person or persons on account of anything they have communicated or proposed to communicate in exercising their freedom of speech;
- c) Supports reasonable and proportionate measures to prevent any person from using lawful speech which a reasonable person would regard, in the circumstances, as:
 - i. intended or likely to humiliate, intimidate, harass or bully other persons; or
 - ii. inciting others to engage in conduct which is intended or likely to humiliate, intimidate, harass or bully other persons;
- d) Does not extend to a duty to protect any person from feeling offended or shocked or insulted by the lawful speech of another.

8. Review

- a) SIBT monitors the effectiveness and appropriateness of the terms under this Policy to identify continuous improvement opportunities and risk identification and mitigation and to inform updates to the policy.
- b) This Policy is reviewed by the Responsible Officer and the Quality and Compliance Manager, at least every three (3) years and as changes are made to the regulatory compliance requirements, legislation, regulation, and guidelines.
- c) This review process aims to ensure alignment to the strategic direction of SIBT and continued relevance to Navitas' current and planned operations.