



# **Freedom of Intellectual Inquiry Policy**

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## 1. PURPOSE

The purpose of this policy is to ensure that freedom of creative expression and intellectual inquiry are treated as paramount values by the Australis Business School ("Australis"). This policy also aims to give guidance to academic staff as to their rights and responsibilities in order to pursue critical and open inquiries.

## 2. OVERVIEW

Australis wishes to develop itself, within the resources available, as a centre of innovation and scholarship in business studies and related practices. Its model of teaching will emphasise commitment to the protection, promotion and exercise of freedom of intellectual inquiry within Australis.

## 3. SCOPE

This policy applies to all prospective and current Australis students, as well as all academic staff and affiliates at Australis.

## 4. DEFINITIONS

See the Australis *Glossary of Terms* for definitions.

## 5. POLICY STATEMENT

Australis recognises and values the right to freedom of intellectual inquiry as central to its endeavours in scholarship, teaching and research, and is committed to the promotion and protection of this freedom within Australis.

Australis supports the right of its scholars to engage in critical inquiry and robust and unfettered critical debate. Academic staff members, as employees of Australis, have the following rights:

- to pursue critical and open inquiry within an environment of academic freedom and to publish their results without undue restriction, but subject to scholarly standards, ethical guidelines, intellectual property obligations, and legal requirements, as outlined in the *Research Ethics and Integrity Policy and Procedure*, *Responsible Conduct of Research Policy and Procedure*, and *Research Intellectual Property Policy*.
- to participate in public debates and to express opinions about issues and ideas related to their academic and professional areas of expertise when relevant and about higher education issues more generally
- to participate in professional and representative bodies without fear of harassment or intimidation
- to teach, promote learning, assess and develop curricula

- to engage in community services without fear of harassment, intimidation or unfair treatment

Academic staff members have the right to express unpopular or controversial views, but this does not mean that they have a right to harass, vilify or intimidate. These rights are linked to the responsibilities of staff to support the role of Australis as a place of academic freedom, independent learning and thought where ideas may be put forward and opinions expressed freely. However, academic freedom must align with Australis's standards of ethical conduct, including respect for intellectual property rights and the integrity of research as outlined in the *Academic Integrity and Misconduct Policy and Procedure*, *Code of Conduct*, *Equity and Diversity Policy*, *Research Ethics and Integrity Policy and Procedure*, *Research Intellectual Property Policy*, and *Responsible Conduct of Research Policy and Procedure*.

Academic staff have a duty and obligation to act responsibly and in good faith in the exercise of the right to freedom of intellectual inquiry. Academic staff must exercise professional care and competence in the conduct of teaching and research, subject academic work to the critical scrutiny of others, consider the impact that their work may have on others and not impinge on the ability of others to engage freely in teaching and learning, research and academic debate. All academic research and expressions of academic freedom must adhere to Australis's *Research Ethics and Integrity Policy and Procedure* and *Responsible Conduct of Research Policy and Procedure* to ensure compliance with institutional and legal frameworks.

Freedom of intellectual inquiry is not a defence for acting unlawfully or for poor behaviour or disrespectful treatment of others and, in their exercise of freedom of intellectual inquiry, academic staff will always observe the *Code of Conduct*.

By recognising, promoting and supporting the right to freedom of intellectual inquiry, Australis does not imply endorsement of views expressed by academic staff. Any views expressed by an individual academic staff member are the views of that academic staff member even though an affiliation with Australis is indicated. Views on behalf of Australis can only be expressed by designated Australis spokespersons and members of the Australis Executive because of the position they hold or by other Australis staff if specifically authorised to do so.

## 6. ROLES AND RESPONSIBILITIES

The Board of Directors is responsible for approving and monitoring compliance with the policy. The Academic Board is responsible for advising the Board of Directors on matters relating to freedom of intellectual inquiry at Australis.

Academic staff are responsible for:

- upholding a commitment to academic standards, including academic integrity, rigour in the construction of arguments and the appropriate use of evidence
- exercising intellectual freedom within the parameters of legislative, ethical, and internal policy requirements, while adhering to Australis's *Research Ethics and*

*Integrity Policy and Procedure* and *Responsible Conduct of Research Policy and Procedure*. Staff must ensure that their research aligns with Australis's standards of ethical conduct when engaging in critical inquiry or public debate

- managing research data and intellectual property in accordance with Australis's *Research Intellectual Property Policy*. Staff must ensure that their handling of intellectual property complies with Australis's guidelines and legal obligations related to ownership, publication, and commercialisation of research outputs.
- fostering intellectually vigorous and open discussion in all forums, adhering to the standards of scholarship and avoiding actions that may inhibit freedom of inquiry and expression. This includes ensuring that controversial opinions are expressed responsibly, in line with Australis's research integrity guidelines.
- undertaking discourse reasonably and in good faith, with declarations of conflicts of interest where appropriate – when speaking in public, staff should consider whether it is appropriate to link their comments to their role and relationship with Australis.

HDR candidates are also responsible for adhering to the principles of academic integrity and freedom of intellectual inquiry while complying with the ethical standards outlined in Australis's *HDR Supervision Policy and Procedure*, *HDR Assessment and Examination Policy and Procedure*, and *Research Ethics and Integrity Policy and Procedure*.

## **7. INDIGENOUS CULTURAL AND INTELLECTUAL PROPERTY (ICIP)**

Australis recognises the importance of respecting Indigenous Cultural and Intellectual Property (ICIP) and the ethical responsibilities that accompany the use of Indigenous knowledge in academic research. Academic freedom must be exercised in a way that honours the rights and contributions of Indigenous communities, ensuring that their cultural heritage and knowledge are protected.

When conducting research that involves Indigenous knowledge, researchers at Australis are expected to:

- Engage respectfully with Indigenous communities, seeking their permission before using or referencing Indigenous knowledge.
- Adhere to the ethical guidelines set out in Australis's *Research Ethics and Integrity Policy and Procedure* and national standards, such as the *Ethical Conduct in Research with Aboriginal and Torres Strait Islander Peoples and Communities*.
- Ensure that any research involving Indigenous knowledge is conducted with cultural sensitivity and proper acknowledgment of the source communities, following the principles of *Indigenous Cultural and Intellectual Property (ICIP)*.

- Respect Indigenous intellectual property rights and ensure that Indigenous knowledge is not misused or exploited for commercial gain without appropriate consultation and agreements.

This policy reinforces Australis's commitment to upholding cultural sensitivity in research and ensures that academic freedom does not infringe on the rights of Indigenous communities.

## **8. COMPLAINTS AND APPEALS**

Any complaints relating to this policy, including disputes over controversial views, perceived breaches of academic freedom, or concerns related to intellectual inquiry, will be handled through the *Staff Complaints and Appeals Policy and Procedure* and the *Student Complaints and Appeals Policy and Procedure*.

If a complaint involves alleged ethical breaches, intellectual property disputes, or misuse of academic freedom, the matter will be resolved in accordance with Australis's *Research Ethics and Integrity Policy and Procedure*, *Responsible Conduct of Research Policy and Procedure*, and *Research Intellectual Property Policy*. This includes investigating any misconduct or breaches of ethical conduct, while maintaining the principles of fairness and academic freedom.

## 9. Related Documents, External References and Version Control

### 9.1 Related/Referenced Documents

- Academic Integrity and Misconduct Policy and Procedure
- Code of Conduct
- Equity and Diversity Policy
- HDR Assessment and Examination Policy and Procedure
- HDR Supervision Policy and Procedure
- Professional Development and Scholarly Activity Policy and Procedure
- Records and Information Management Policy
- Research Ethics and Integrity Policy and Procedure
- Research Intellectual Property Policy
- Responsible Conduct of Research Policy and Procedure
- Staff Complaints and Appeals Policy and Procedure
- Student Complaints and Appeals Policy and Procedure

### 9.2 Related Legislation and External References

- Australian Code for the Responsible Conduct of Research (2018)
- Ethical Conduct in Research with Aboriginal and Torres Strait Islander Peoples and Communities (2018)
- Higher Education Standards Framework 2021
- National Statement on Ethical Conduct in Human Research (Revised 2023)
- Tertiary Education Quality and Standards Agency (TEQSA) Act 2021

### 9.3 Version Control

Version	Date	Reviewed/approved by	Key notes/changes
0.1	23/07/21	Academic Board (AB)	See AB minutes.
0.2	26/11/21	Learning and Teaching Committee (LTC)	See LTC minutes.
0.3	25/10/24	Chief Executive Officer (CEO) and Higher Degree Research (HDR) Director	HDR details added.

0.4	31/10/24	Higher Degree Research Committee (HDRC)	Updated to specify references to relevant institutional policies as recommended.
0.5	06/11/24	Academic Board (AB)	Minor editorial changes made.
0.6	29/11/24	HDRC	Minor editorial changes made.
0.7	05/12/24	AB	Reviewed and approved after the addition of the reference to the Records and Information Management Policy.

## 9.4 Document Review

To be reviewed at least every five (5) years from the date of final approval.