

1. The Academic Freedom Infringements Referral and Review Procedure draws on and supports the Pearson College London Academic Freedom Policy.
2. Pearson College London recognises academic freedom, as the right, within the law, of academic staff to question received wisdom without intellectual or cultural constraints and without the risk of losing employment privileges.
3. In the event that a member of academic staff considers that unfair constraints are being placed on their individual academic freedom, this procedure should be applied.
4. The following general principles apply to the Academic Freedom referral and review process:
  - (a) academic freedom referrals shall be treated with confidentiality;
  - (b) members of staff making a genuine referral will not experience disadvantage;
  - (c) the College will aim to resolve academic freedom referrals in a timely manner;
  - (d) the College officers investigating complaints shall do so impartially.

#### Informal Stage

5. In the first instance, the academic member of staff should discuss the perceived infringement(s) on academic freedom with their Dean of School or programme leader. The Dean of School or programme leader will aim to resolve the matter informally. This may be by either removing the perceived constraints, particularly where these have been inadvertent, or explain the reasons why the constraints are reasonable and justified.
6. Where an agreement is reached, the matter will be considered resolved at the informal stage.

#### Formal Stage

7. Where the matter cannot be resolved at the informal stage, the academic member of staff should submit a formal complaint to the Deputy Vice-Principal (Academic Affairs), or nominee, setting out the perceived infringements on academic freedom.
8. Within 5 working days of receiving the complaint, the Deputy Vice-Principal (Academic Affairs), or nominee will establish an Academic Freedom Referrals Panel and share the complaint with the Panel members.
9. The Panel shall comprise College officers independent of the case and include:

The Deputy Vice-Principal (Academic Affairs), or nominee (Chair)  
The Dean of a School not inhabited by the Complainant

A member of the Research Ethics Committee.

10. The Panel members will have a further five days to evaluate the evidence provided, and request additional evidence, through the Deputy Vice-Principal (Academic Affairs), or nominee, that they deem necessary to consider the referral.
11. A Panel hearing will be scheduled within a further five days.
12. The Complainant may attend the Panel in person to present their case. They may be accompanied by a friend, relative or a member of the HR staff. The Complainant is entitled to see all the evidence considered by the Panel.
13. The Complainant shall withdraw following their representation to allow the Panel time for private deliberation.
14. The Panel may:
  - i. dismiss the complaint; or
  - ii. uphold the complaint in part and require adjustments to mitigate perceived infringements on academic freedom; or
  - iii. uphold the complaint in full and require such changes as it deems fit to remove infringements on academic freedom.
15. The Deputy Vice-Principal (Academic Affairs), or nominee, shall, within five working days of the meeting, inform the Complainant in writing (normally by email) of the Panel's decision.
16. Where the Complainant remains dissatisfied they may request a review by the Principal, or nominee. The permissible grounds for review shall be:
  - (a) there is reasonable ground supported by objective evidence to believe that there has been administrative, procedural or clerical error of such a nature as to have affected the outcome of the investigation or result; or
  - (b) the decision in the case was unreasonable<sup>1</sup>; or
  - (c) there is new evidence that for good reason, objectively and authoritatively documented, could not be submitted earlier.

The decision of the Principal, or nominee, shall be final.

17. The Deputy Vice-Principal (Academic Affairs) shall maintain a record of formal academic freedom infringements referrals and, where such have been made, prepare an annual report to the Governing Body.
18. This policy and its associated procedures shall be reviewed annually.

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<sup>1</sup> A decision is “**unreasonable**” if it can be demonstrated that an Officer of the College or a properly constituted College Panel or Board has made an irrational, *ultra vires* or logically flawed decision.

<b>Person responsible</b>	Deputy Vice Principal (Academic Affairs)
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