Academic Freedom

Although definitions and concepts vary in detail, the notion of Academic Freedom has been an important element in higher education governance for a considerable time. There are, however, increasing concerns that academic freedom is being eroded, with a number of cases reported in the press in recent years which appear to affect this cherished right of academic staff.

The Education Reform Act 1988 included a legal definition of academic freedom, by placing a duty on higher education institutions to ensure that academic staff have ‘freedom within the law to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions without placing themselves in jeopardy of losing their jobs or the privileges they may have’.

Concerns about this issue have prompted the University and College Union to publish a Statement on Academic Freedom in 2009.

A major work on academic freedom No University is an Island: Saving Academic Freedom by Cary Nelson (2010), is based on the premise that the protection of academic freedom is related to preserving academic participation in institutional governance, and security of tenure for academics. A feature on academic freedom, including the state of affairs in Europe and America, was published in the Times Higher Education in February 2010 and there is also an article by Professor Nigel Thrift on institutional autonomy and public support in March 2010.

One of the findings of a research project University Autonomy in Europe published by the European University Association in 2011, is that English universities enjoy the greatest freedom from state intervention in Europe. A 2012 report by HEPI - Universities and Constitutional Change in the UK - concludes that universities in Scotland, Wales and Northern Ireland may have their autonomy reduced as a result of increasing government intervention.

Educational Character

In most post-1992 institutions the governing body is formally responsible for determining its educational character and mission, and a new governor might legitimately ask what this is? There is no standard definition, though it is often taken to mean how the institution delivers its educational mission, in particular its fundamental values, the kind of environment it provides for students, the nature of the student body, the quality of teaching and learning, the focus on research or on widening participation.

In practice, much of the responsibility for determining educational character will rest with the academic decision making processes (for example senate/ academic board, faculty boards, and so on). Governors should respect the powers of such bodies and be careful not to get involved in the detail of such discussions, but rather to concentrate on the strategic issues about how the overall educational character can be developed. In practical terms this will most often be done through the integration of the learning and teaching strategy(or similar) into the main strategic plans, or at Away-days or briefings.

Learning and Teaching Strategies

All institutions attempt to enhance the quality of the learning and teaching provided to students, and all now produce learning and teaching strategies. This is also a requirement of some of the HE funding councils, and in Scotland from 2009 the strategy has to be approved by the governing body.
Although initial responsibility for this is likely to rest with the executive and the academic board/senate, governing bodies will need to ensure that the strategy integrates with the overall strategic plan and reflects the general strategic direction of the institution. Governors will also wish to ensure that appropriate steps have been taken to respond to new guidance from the QAA, such as that published in September 2012 on assuring and enhancing teaching and learning.

Research

The research profiles of institutions vary widely and therefore the strategic issues associated with research have correspondingly different implications for governing bodies. Increasingly, the funding of research is highly selective, and it is difficult for institutions without a substantial track record in research to obtain substantial funding.

In research active institutions, the governing body is likely to have a number of interests:

- **Strategic** - in ensuring that the effort devoted to research is consistent with institutional mission and strategic direction.
- **Financial** - in ensuring satisfactory financial management of research and a research infrastructure. The funding bodies now encourage greater transparency in research (and teaching) costing and details can be found at the Joint Costing and Pricing Steering Group.
- **Quality and monitoring** - in ensuring that systems are in place to ensure that research performance is monitored and that, institutional targets in the research assessment exercise can be achieved.

For many years the Research Assessment Exercise (RAE) was fundamental to most institutional research policies. The 2008 exercise was the last and the RAE has been replaced by the Research Excellence Framework (REF). This provides for the continuation of research assessment through a process of expert review, with the main factor being the quality of research output by institutions. The first assessment phase of the REF will take place in 2014 to inform funding for 2015-16. A pilot exercise to study the feasibility of assessing the impact of research on society has been published, and a new concordat for engaging the public with research has been launched.

The funding councils’ Assessment Framework and Guidance on Submissions has been published, and Hefce has published the final criteria and working methods to be used by the REF panels. A series of reports has been published on the impact of research council funding.

**The Bologna Process**

The 1999 Bologna Agreement aimed to create a European Higher Education Area by 2010, to support student mobility and employment. Its aim was to harmonise issues such as: quality assurance of higher education; credit transfer and accumulation; lifelong learning; doctoral qualifications and joint degrees. The implementation of the Bologna Agreement may have a number of strategic and policy implications for governing bodies.

Find more information and resources on this topic on our website at: [www.lfhe.ac.uk/en/governance/ba/academic-issues](http://www.lfhe.ac.uk/en/governance/ba/academic-issues)