

# **ACADEMIC FREEDOM POLICY AND PROCEDURE**



## **1. Policy Overview**

Academic freedom is essential in institutions of higher education if they are to make their proper contribution to the common good. The common good depends upon the free search for truth and its free exposition. It is that which justifies academic freedom, not the interest of the individual Institute member or even the interest of a particular Institute.

Academic freedom is the freedom to engage in research, scholarship, or other creative work in order to expand knowledge, to publish research findings, to teach and to learn in an atmosphere of unfettered free inquiry and exposition.

MEDICAMPUS is committed to the promotion of academic freedom, integrity, and free intellectual enquiry and expression. This commitment is consistent with the requirements imposed by the regulations of the Malta Further and Higher Education Authority.

## **2. Commitment to Scholarship and Academic Integrity**

The rights of the Institute member and the student to academic freedom, however, carry with them duties and responsibilities. The Institute member is entitled to full freedom to engage in research, scholarship, and creative work and to publish or produce the results, subject to responsible performance of these and other academic duties. The Institute member is likewise entitled to freedom in teaching and discussing the subject matter. Yet, as in research, the concomitant of this freedom must be a commitment to accuracy and integrity. Controversy is a normal aspect of free academic inquiry and teaching, and it is proper to incorporate both the knowledge and the beliefs of the Institute member into that which is taught; however, the freedom to teach must be joined by a constant effort to distinguish between knowledge and belief.

When academics and students undertake intellectual enquiry, it is important that their academic freedom is leavened with the responsibility to uphold the highest standards of academic integrity. The Institute takes academic

misconduct seriously and shall apply sanctions to members found guilty, after due process

## **Employee misconduct**

Serious misconduct is when an employee:

- Causes serious and imminent risk to the health and safety of another person or to the reputation or profits of their employer's business or
- Deliberately behaves in a way that's inconsistent with continuing their employment.

Examples of serious misconduct can include anything from theft, fraud, assault, drugs and alcohol in the workplace, misrepresentation of personal work, plagiarism, inappropriate behaviour towards colleagues, lateness and absenteeism.

If an employee is displaying signs of misconduct, the Institute provides an informal verbal warning to the employee first and give them an opportunity to improve their behaviour.

If there's no improvement or further misconduct after the informal verbal warning, the Institute takes formal disciplinary action by issuing a formal written warning.

### ***Step 1: Informal verbal warning***

The first step is to try and resolve the issue verbally. A verbal warning to employees by the Managing Director is a fair warning to advise them that they aren't meeting the expectations of their role. The Managing Director will email the employee following these verbal discussions in order to have a written record of the topics that were discussed for future reference.

While this isn't a formal written warning letter, the Managing Director needs to detail the specific areas of misconduct and provide tangible examples for improvement.

After the Managing Director has explained the concerns to the employee and provided them with strategies on how to improve, a follow-up meeting should be held after 30 days. This can be used as an opportunity to talk about progress.

If verbal warnings don't garner any changes, the Institute moves on to Step 2.

### ***Step 2: Formal written warning letter***

A formal written warning letter issued by the Dean is personally addressed to the employee.

In the formal written warning letter, the Dean references any verbal conversation with the Managing Director and warnings that have previously been issued, along with the dates that these informal warnings were issued.

In these formal written warnings, the Institute will:

- Specify details of the areas where the employees were, and still are, misconducting;
- Create an action plan and communicate dates to check in with the employee;
- Make sure it's clear that another warning letter could be issued or any other consequences (e.g. termination) if the employee does not meet the expectations;
- Reassure the employee that the warning is completely confidential.

Once the first written warning has been provided, the Institute will set up another face-to-face meeting with the Dean and the Managing Director in order to discuss the letter in person with the employee.

If the employee hasn't changed their behaviour and continues misconducting after informal and formal warnings, the Institute has the right to act out consequences as long as they were clearly outlined to the employee.

Employee Termination has to be considered as a final resort. The Termination will be discussed by a committee formed by the Dean, the Managing Director and the Academic Advisory Board.

If the committee decides to terminate the employee, the committee needs to make sure of the following for the employee in question:

- isn't being unfairly dismissed;
- is given the right notice of termination;
- is given the right final pay.

The Institute may also think about getting independent advice from an employer association or lawyer if necessary.

### **3. Respect for Academic Freedom**

An Institute member should remember that the public may judge the profession and institution by the Institute member's utterances. Hence the Institute member should be at all times accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that the Institute member is not speaking for the institution.

MEDICAMPUS makes a clear distinction between the academic's expressions as a member of staff and as a private citizen. In the latter case, the Institute's regulations are not applicable. When the Institute member speaks or writes as a citizen, he or she should be free from institutional censorship or discipline, but the Institute member's special position in the community imposes special obligations.

MEDICAMPUS encourages academics to demonstrate academic and scholarly rigour, integrity, and decorum by demonstrating appropriate restraint, showing reasonable respect for the opinions of others, and ensuring that expressed notions are accurate and reasonably appropriate, without

indicating that they are speaking on behalf of MEDICAMPUS or allowing such a perception to persist.

Academic staff must refrain from using their institutional affiliation when publicly expressing an opinion on topics outside their area of expertise and/or on contentious issues where their opinion may deviate from MEDICAMPUS's rules, regulations, and/or position.

MEDICAMPUS staff and students need to feel reassured that their personal opinions and values will be respected, irrespective of other people's different opinions and reactions, provided that their expression is in line with the Laws of Malta.

#### **4. The Principle**

The academic freedom, integrity, and free intellectual enquiry principle is when an opinion and/or its derivative actions threaten public safety (e.g., antivaccine, threats, agitation, harassment, and defamation). Academic freedom comes with associated responsibilities to exercise due professional competence. These include:

- a. Conducting teaching and research.
- b. Opening academic work to the critical scrutiny of others (not limited to peer reviews).
- c. Considering the impact that one's work may have on others.
- d. Not negatively affecting the ability of others to freely engage in teaching and learning, research, and academic debate.