UNIVERSITY OF HULL

Ethics Framework

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Ethics Framework

This document is the University's core statement of its ethical principles, and takes precedence over other policy documents in cases of disagreement.

Preamble

The University of Hull's mission is:

To advance education, scholarship, knowledge and understanding through teaching and research, for the benefit of individuals and society at large

This statement of mission derives from the University's 1954 Royal Charter, and is the founding principle of all that we do at the University of Hull. Just as that original mission remains valid today, so does the University's long-standing commitment to the highest ethical principles that continue to guide our activities in all areas. This Ethics Framework articulates the University's guiding ethical principles, and identifies the governance, responsibilities and processes (many of the latter in other codes and policies) that implement these principles and embed them in common practice. The Framework provides high-level guidance on the ways to conduct academic activity honestly, with integrity and with good judgement. These principles, informing not just what we do but how we do it, will support the University to achieve its Vision:

Motivated by society's challenges and inspired by the power of our global community, we are shaping a fairer, brighter and carbon neutral future

Our Values

We are **inclusive**
- We provide a safe, friendly and welcoming environment for all, where our differences are celebrated
- We help each and every one of our students, staff and partners to achieve their full potential with a personal, supportive approach
- We celebrate individual and collective success
- We are mindful as to the positive and negative impact of what we each do, every day, on other individuals and communities both near and far

We are **empowering**
- We empower people to succeed, recognising that with empowerment comes responsibility and accountability
- We build people's confidence through understanding, knowledge, skills and experience
- We stretch people's minds and help them develop new ways of thinking and working that will help shape a fairer, brighter future
- Through equal opportunity, we ensure everyone has the opportunity to shine

We are **progressive**
- We set high standards and challenge ourselves and others to deliver meaningful progress with tangible outcomes
- We follow and develop best-practice across all areas of our activity
- We work at pace and are always future-facing and, with agility, ready to adapt
- We learn to be self-reflective so we can seek improvement, make an even bigger difference and embrace a different future

This Framework applies to all aspects of University work and all activities undertaken under the University's auspices, including research, teaching, consultancy and outreach work, knowledge exchange, and including work done in collaboration with other partners. The Framework applies to all staff, students, visiting students, visiting or emeritus staff, associates, honorary or clinical contract holders, contractors and consultants. All those involved in carrying out the University's business are responsible for adhering to the principles outlined in this Framework and abiding by the outcome of ethical review. Those undertaking activity on University premises using its facilities but not in the University's name are expected to abide by the standards outlined in this Ethics Framework, although formal ethical review and approval might be carried out via other routes as appropriate. The Framework applies, in general, to all activities, from procurement to research, from teaching to facilities projects, though some matters (e.g. academic freedom) are relevant only to academic activity.

The University recognises a distinction between ethical and legal requirements, but in many cases it is strict adherence to the law or to regulatory requirements that is the ethical commitment. All members of the University are expected to understand the legal and regulatory expectations relevant to their activities and to comply fully with the law in conducting University business.

The Framework is rooted in fundamental respect for the dignity of the person, and in fundamental human rights determined by international conventions following the Universal Declaration of Human Rights (1948)

and the European Convention on Human Rights (1950) and recognised in UK law, notably by the Human Rights Act (1998).

Fundamental Ethical Principles and Values

1) The University of Hull embraces three overriding ethical principles that will be used to guide all that we do:

   a) **Avoidance of harm** – Respecting the dignity of the person, the individual right to privacy, the need to protect vulnerable people, and the refusal to subject any person to exploitation, harassment or bullying; respecting the importance of preserving the natural and cultural environment for future generations. These goals will be achieved by paying due consideration to the potential for harm to:
      i) The welfare, interests and dignity of human participants in any activity, whether they are involved directly or indirectly, including all staff, students and visitors;
      ii) Animal welfare;
      iii) Cultural heritage and dignity;
      iv) The natural environment and carbon-reduction goals;
      v) Any risks to the reputation of the University in whole or part; and
      vi) Any risks to the welfare and interests of the wider community and society.

   b) **Championing intellectual freedom** – Intellectual freedoms are fundamental to the work of the University, and are strongly championed by the Office for Students. Among the many functions of a university is the ability to act as a critic and conscience of society, a function that requires the freedom to say unpopular things, to challenge consensus, and to pursue intellectual inquiry wherever reason and evidence may lead. The University must also be a place in which students learn the value of questioning and learn to think critically. Knowledge and understanding cannot grow without intellectual freedom, which is a foundation for all that universities do.

   The University of Hull therefore adopts as foundational principles of intellectual freedom:

   - That its staff and students are free to hold and express opinions that others may consider to be disagreeable or even offensive;
   - That it an important aspect of education involves encounter with ideas and views that may make us uncomfortable, outraged or upset; but that a person's freedom to express views grants no immunity from having those views criticised and challenged;
   - That we criticise and challenge views with which we disagree by means of reasoned discussion and evidenced argument, and in a spirit of civility and mutual respect for other people (though not necessarily their ideas);
   - That we recognise that intellectual freedom is not the right to say whatever one pleases: there are limits enshrined in law. We permit the free expression of ideas within the law. Speech that constitutes harassment, bullying or defamation of specific individuals is not acceptable. These exceptions are narrow and should be interpreted narrowly.

   Intellectual freedom includes both free speech and academic freedom, and the University of Hull recognises that these are two distinct things.

i) Free speech – We recognise this as a right possessed by all members of the University to express views within the law, though this is not a right peculiar to the University environment. The UK Human Rights Act (1998) gives all residents legal protection for their rights to free speech and peaceful protest, as well as to freedom of thought, religion and belief.[1]

ii) Academic freedom – we recognise this as a privilege pertaining to academic staff allowing them to speak openly and to teach and carry out research without restraint on all matters within the scope of their academic work, and within the law. Scope should be broadly construed, in recognition of the boundary-crossing and interdisciplinary nature of academic activity, and includes matters of pedagogy and higher education policy. Academic freedom exists to protect staff, when carrying out their academic functions with integrity, from any risk of dismissal or other punishment by their employer. Having regard to academic freedom is a requirement of the Education Reform Act (1988) section 202.[2]

The University takes this to mean in practice that academics have the right to:

- freedom in teaching and discussion

- freedom to disseminate and publish one's research findings;

- freedom from institutional censorship, including the right to express one's opinion publicly about the institution or the education system in which one works; and

- freedom to participate in professional and representative academic bodies including trade unions.

(UCU Statement of Academic Freedom, 2016)

These freedoms allow academics to challenge received opinion and to question accepted ways of thinking. We believe that it is an ethically-justified principle to hear all views, however challenging, except as limited by law. Therefore no views can be immune from questioning or criticism. A tolerant intellectual community is not a unanimous one, but is characterised by vigorous dispute and debate, conducted with respect, civility and integrity. We do not consider that civility is infringed by passionate and deep disagreement or debate; nor do we confuse respect for persons, which we expect in all cases, with respect for ideas and arguments, which need to be justified.

c) **Seeking justice and inclusivity and welcoming diversity** - in all activity members of the University should seek to design their activity to ensure that groups and individuals are appropriately and fairly included, and to address explicitly any barriers to such inclusion. This is essential to the achievement of justice and the fairer future identified in the University's vision statement. They should also recognise the value of diversity, and welcome it wherever appropriate. Inclusivity and diversity apply

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[1] https://www.legislation.gov.uk/ukpga/1998/42/contents . For some guidance on interpretation see: https://www.libertyhumanrights.org.uk/human-rights/what-are-human-rights/human-rights-act
[2] http://www.legislation.gov.uk/ukpga/1988/40/contents : '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 privileges they may have at their institutions'.

amongst other things, to gender, sexual orientation, religion and belief, political and ideological persuasion, disability, ethnicity, and cultural background.

2) In some cases these **ethical principles may be in conflict with one another**. There is a particular tension between intellectual freedoms and the avoidance of harm. Some forms of harm may be seen by some people as a barrier to inclusion, like giving offence to people with a particular identity characteristic. Universities have a statutory responsibility to have regard for both free speech and academic freedom, within the law (Education [No 2] Act (1986) section 43;[3] Education Reform Act (1988) section 202). The University of Hull takes these statutory responsibilities to mean that universities are places in which intellectual freedom should be privileged (within the law). In cases of conflict between intellectual freedom and other ethical principles, the presumption should, therefore, be in favour of intellectual freedom unless direct and intentional harm can be demonstrated (usually this will in fact mean that there is a risk of breaking the law). Academic freedom is not generally or in itself a justification for not abiding by the University's codes of practice or regulatory requirements. Academic freedom does imply, though, a responsibility on the University as an employer to protect a space for free intellectual inquiry and the dissemination of its results through publication and teaching. This may include the defence of its staff facing threats to their intellectual freedoms from external quarters as well as internally, including the pressure of public opinion on universities and the expectations of those who fund or sponsor our activities. Academic freedom does not justify incitement to violence or other illegal acts, bullying and harassment of individuals, or personal abuse.

2) Teaching and research sensitive subjects (especially the dissemination of research findings or other views via social media) can be problematic. It is an important element of academic freedom to allow sensitive and controversial subjects to be studied and researched, but those doing so should read and follow the University's guidelines on *Teaching and Researching Sensitive Subjects*.

3) **Funding, Sponsorship, Investment and Partnership** – The University works closely with many partners, some of whom fund its activity or contribute in kind to the University's fulfilment of its mission. In some cases, though, an activity may seem in itself to comply with the University's ethical standards (as well as with the law), the source of funding or the nature of a partner with whom the work is being conducted may raise ethical questions. Ethical issues may also arise from the University's investments or from its development activity. Partners and funding sources (including donors) should always be subject to appropriate ethical scrutiny. This applies whatever the purposes to which the funding might be put, including research, teaching and learning, knowledge exchange, or enterprise; and to philanthropic donations.

   A) The University will proactively seek to work with and invest in organisations that further its mission, vision and values, notably community-based organisations, especially in the areas of health and social care, organisations working to end human slavery and trafficking, and businesses engaged in the development of renewable and sustainable energy sources.

   B) The University will not accept funding or sponsorship from, work in partnership with, or invest directly in, the tobacco industry and its lobbyists, or any business or organisation known to be involved in human trafficking or modern slavery.

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[3] https://www.legislation.gov.uk/ukpga/1986/61 : the University 'shall take such steps as are reasonably practicable to ensure that freedom of speech within the law is secured for members, students and employees of the establishment and for visiting speakers'.

C) Any proposal for partnership activity with business or organisations that derive the bulk of their revenue from activities on the following list should receive comprehensive scrutiny from Faculty Ethics Committees, and in most cases the Committee should also seek advice from the University Ethics Committee's Special Advisory Board. This includes any proposal for direct and indirect funding or benefits in kind (e.g. the offer of student placements). The list is:

  (i) companies producing weapons and weapon systems, including cluster munitions and anti-personnel landmines; and companies whose main business includes the supply of strategic components (such as weapons guidance systems) and services;
  (ii) businesses whose primary activity is fossil fuel extraction;
  (iii) the alcohol, gambling or pornography industries;
  (iv) governments with poor human rights records.

D) In considering these cases Faculty Ethics Committees should be mindful of:
  a. The nature of the activity being funded;
  b. Consistency with the ethical principles of this Framework;
  c. Consistency with the University's mission and values;
  d. The reputation of the University.

E) *All* funding sources should be evaluated in relation to our own core ethical principles of avoiding harm, championing intellectual freedom, seeking inclusivity and welcoming diversity. Funding from or investment in external organisations that might *prima facie* be considered to breach these principles must have full and appropriate scrutiny. In such cases, advice on procedure should be sought from the Chair of the appropriate Faculty Ethics Committee or of the University Ethics Committee. The University will not do anything that is incompatible with its mission, vision or values.

F) With respect to governments that have poor human rights records, the University would generally accept sponsored students from all countries, in the belief that this benefits the individual rather than their government, and in the hope that this education contributes to the global acceptance of the value of human rights.

Principles of Public Life and Public Interest

The University's Ethics Framework identifies our most significant and cherished ethical values. The University is a charity, and, though not a public body in the strict sense, embraces fully its role in furthering the public interest and the public good. Therefore our Ethics Framework is buttressed by our commitment to wider sets of principles.

1. The Seven Principles of Public Life (The Nolan Principles) – The University is committed to the principles of public life recommended by the Committee on Standards in Public Life:

    a. Selflessness
    b. Integrity
    c. Objectivity
    d. Accountability
    e. Openness

  f. Honesty
  g. Leadership

These principles should guide all members of the University community, and inform decisions they make about the work that they undertake and the ways in which they do it

2. Public interest governance principles – under the new Higher Education regulatory framework, overseen by the Office for Students, Universities must adhere to the following principles as a condition of registration. They are intended to reflect that there is a public interest served by universities.

  a. **Academic freedom**: Academic staff at an English higher education provider have freedom within the law:
    i. to question and test received wisdom; and
    ii. to put forward new ideas and controversial or unpopular opinions without placing themselves in jeopardy of losing their jobs or privileges they may have at the provider.

  b. **Accountability**: The provider operates openly, honestly, accountably and with integrity, and demonstrates the values appropriate to be recognised as an English higher education provider.

  c. **Student engagement**: The governing body ensures that all students have opportunities to engage with the governance of the provider, and that this allows for a range of perspectives to have influence.

  d. **Academic governance**: The governing body receives and tests assurance that academic governance is adequate and effective through explicit protocols with the senate/academic board (or equivalent).

  e. **Risk management**: The provider operates comprehensive corporate risk management and control arrangements (including for academic risk) to ensure the sustainability of the provider's operations, and its ability to continue to comply with all of its conditions of registration.

  f. **Value for money**: The governing body ensures that there are adequate and effective arrangements in place to provide transparency about value for money for all students and (where a provider has access to the student support system or to grant funding) for taxpayers.

  g. **Freedom of speech**: The governing body takes such steps as are reasonably practicable to ensure that freedom of speech within the law is secured within the provider.

  h. **Governing body**: The size, composition, diversity, skills mix, and terms of office of the governing body is appropriate for the nature, scale and complexity of the provider.

  i. **Fit and proper**: Members of the governing body, those with senior management responsibilities, and individuals exercising control or significant influence over the provider, should be fit and proper persons.

Responsibilities and Governance

Ethical compliance is the responsibility of all University employees and others contracted to carry out work for or with the University. Everyone is responsible for assessing what they do against the principles of this Framework and other relevant University codes or policies, and for self-referring cases for scrutiny when in doubt.

In addition the following particular responsibilities apply:

- The University Council has overall responsibility for the ethical standards and practice of the institution, and must ensure that there are appropriate structures and policies in place to ensure that the University fulfils its ethical responsibilities.

- The University Ethics Committee has delegated authority from Council and Senate to maintain the University's ethical framework, to develop policies and structures that will enable compliance with it, and to ensure appropriate education and training in ethical matters.

- University Research Committee will provide oversight and guidance to the Ethics Committee on research ethics, and may make recommendations to the University Ethics Committee on such matters.

- The University Special Advisory Board is a sub-group of Ethics Committee, made up of the Chair, members of the College of Reviewers, the Research Policy and Governance Manager and other members of the Ethics Committee. Actual membership will be determined on a case-by-case basis. This Board will advise Faculties on difficult cases and handle ethical cases referred by professional service Directors. The Board is not a standing body but will be convened as needed.

- The VC and ULT have responsibility for ensuring the appropriate processes are in place in their areas of responsibility for the ethical scrutiny of activity, and to provide appropriate training in ethical matters for all staff.

- Deans of Faculties must ensure that each Faculty has a Faculty Ethics Committee that provides clear and appropriate guidelines for the ethical scrutiny of activity, including but not limited to research activity.

- Deans of Faculties must ensure that training in ethical matters is provided to all staff.

- Heads of School and Department should ensure that there are appropriate assurance mechanisms to show that all activity in their area, whether conducted by staff, students or third parties, receives appropriate ethical consideration.

- Directors of Professional Services are responsible for ensuring compliance of all professional services activity with this Framework, and for referring complex or doubtful cases to the Special Advisory Board.

- The Doctoral College is responsible for ensuring that all research students receive appropriate ethics training, and that ethical compliance is monitored as part of the annual monitoring process.

One of the University of Hull's core values is Openness. We naturally, therefore, recognise the right – indeed the duty – of all members of the University to challenge activity that they consider to be in breach of the fundamental principles of this Ethical Framework. In doing so, those with concerns should look at the particular policy or code (see list below) that covers the area of activity. This may suggest an appropriate channel through which to raise issues. Failing that, individuals should raise their concerns with the line manager or other person with ethical responsibility (above) who is at a point in the University structure immediately above the level at which the breach is thought to have occurred. The basic principle is to work through the University's management structure, wherever possible.

In rare cases, raising concerns through the management structures of the University may not address the issue adequately. In these circumstances, individuals are directed towards the University's 'whistleblowing' policy that governs disclosures made in the public interest:

https://share.hull.ac.uk/Services/Governance/PolicyDocuments/Public%20Interest%20Policy%20and%20Procedure%20-%20Whistleblowing.pdf#search=whistleblowing

University Codes and Policies

The following University policies and codes provide further guidance on ethical expectations relating to particular areas of activity.

- Codes of Conduct
- Research Ethics Policy
- Personal Relations Code of Conduct
- Code of Good Research Practice
- Statement of Research Integrity
- Research Misconduct Code of Practice
- Financial Regulations and Procedures
- Policy on Socially Responsible Investment
- Corporate and Social Responsibility Policy
- Sustainable Procurement Policy
- Sustainability Policy
- Anti-Fraud and Bribery Policy
- Anti-Slavery and Human Trafficking Policy
- Student Charter

Concluding Remarks

The University takes seriously its responsibility to create an environment that supports high standards of ethical practice in all that we do. It strives to encourage openness and transparency in thought, action and decision. The University is a collegiate community that encourages diversity and acceptance, welcomes challenge, and embraces fairness and accountability.

Version Control

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1-00	University Ethics Committee	04/05/2022	Approved by UEC following consideration by ULT