

## QS18: Academic Freedom

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## Key Related Documents

Document Name	Location
NPR QS11 Student Disciplinary	College website, Policy Hub
NPR QS16 Compensation and Refund	College website, Policy Hub
NPR QS19 Freedom of Speech	College website, Policy Hub
NPR M1c Prevent Policy	College website, Policy Hub
Employee Code of Conduct	Policy Hub
Equality, Diversity and Inclusion Statement	College website, Policy Hub

## Introduction, Definition and Purpose

This policy reflects current UK legislation and will be updated as appropriate to reflect any legislative changes. The policy should be considered in conjunction with the Navitas University Partnerships Europe (UPE) policy on Freedom of Speech.

In line with the Navitas Policy and Procedure (NPR) M1c (Prevent), Colleges may, with agreement, have the choice of coming under the umbrella of the University Partner policy on academic freedom or adhere to the Navitas UPE policy. In either case, this policy must be documented in the corresponding CPR, effectively communicated to all staff and students, and complied with at all times. In addition, the content will form part of a bespoke training programme on this theme.

In line with the expectations of the Public Interest Governance Principles and those outlined within the Higher Education Code of Governance (2020), we have produced a policy reflecting our core values on academic freedom.

Navitas UPE is observing the academic freedom definition set out in the Education Reform Act 1988 and further defined by the Office for Students.

Academic freedom is therefore primarily concerned with the ability of academics to question and test perceived 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 a provider. This is vital in ensuring that academics are able to teach and undertake research that challenges established boundaries in their respective areas.

A [statement](#) signed by five Higher Education organisations in November 2022 including Universities UK and Advance HE states specifically that universities, '*including their international partnerships*', must 'take responsibility to protect both free speech and academic freedom seriously', and 'ensure that these concepts are understood by the whole university community'.

The Higher Education and Research Act 2017 (HERA) also stipulates that all Higher Education institutions registered with the Office for Students must uphold the existing laws surrounding freedom of speech.

In addition, Navitas UPE have adopted components of the HE Code of Governance (2020). The Code guides Governing Bodies under six primary elements, ultimately providing the basis for good governance in the HE sector. Element 2.7 states that an organisation should 'understand and respect the principle of academic freedom, the ability 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. The governing body must understand its responsibility to maintain, promote and protect the principle of academic freedom'.

The purpose of our academic freedom policy is to support the full development of our educational philosophy and pedagogy. Navitas UPE academic teaching staff, including visiting and guest lecturers legitimately present by invitation of Navitas UPE and its Colleges, must be free to cultivate a spirit of enquiry in our students and to examine ideas in an atmosphere of freedom and confidence. Teaching staff must also recognise the special responsibilities

placed upon them by accepting the obligation to exercise considered judgment in using and transmitting knowledge.

## Scope

This Policy applies to all academic staff and students who are engaged in Learning and Teaching. The Colleges will maintain the academic freedom of staff and students, that is to say, freedom of teaching and discussion and freedom to participate in professional or representative academic bodies. This academic freedom also extends to research activities, although this is not part of the teaching contract or common practice among Navitas UPE teaching staff. Students at Pre-Master's level also have the Academic Freedom to undertake a Research Project and/or Mini Dissertation of their choosing within their core modules.

Institutions of Higher Education are committed to the solution of problems and controversies by the method of rational discussion. Acts or threats of physical force or disruptive acts which interfere with campus activities, freedom of movement on the campus, or freedom for students to pursue their studies are the antithesis of academic freedom, as are acts which in effect deny freedom of speech, freedom to be heard, and freedom to pursue scholarly activity of their own choosing to members of our academic community or to invited visitors.

The principles of academic freedom also extend to the use of electronic and social media. Navitas UPE requires responsible and legal use of the technologies and facilities available to College staff and students including the use of the internet, email and social media.

## Application

All staff members and students are required to take personal responsibility for understanding the basic provisions of this policy and its day-to-day application.

## Key Principles and Rights

The key principles and rights related to academic freedom are as follows:

- a) To ensure that academic staff and students have freedom within the law to hold and express opinions; question and test established ideas or received wisdom; develop and advance new ideas or innovative proposals; and present controversial or unpopular points of view, without placing themselves in jeopardy of losing their jobs or privileges
- b) To ensure that academic staff and students have freedom within the law to hold and express such opinions within the Navitas teaching model, as well as on social media and the internet
- c) To enable academic teaching staff to fulfil their functions without unlawful discrimination or censorship of any kind
- d) To allow academics, subject to the rights of the College, to manage its activity efficiently, to teach without interference, subject to accepted professional principles including professional responsibility and intellectual rigour with regard to standards and

methods of teaching. Academics should not be forced to teach against their own best knowledge and conscience or be forced to use curricula and methods contrary to national and international human rights standards

- e) To maintain an effective, safe, and supportive learning environment and promote an atmosphere of fairness and equity in their relationships with students
- f) To encourage academic teaching staff, when advocating a position on a controversial matter to exercise caution to minimise the risk of any harm, be sensitive to the views of others and refrain from presenting or challenging views in a way that is hostile or degrading and ensure that opportunities exist for colleagues and students to express and consider other views
- g) To take care and always be careful to distinguish between personal views and those of Navitas UPE
- h) To consider the legal implications of our actions, by recognising there may be consequences if we act in breach of the law and to only involve others with their express consent
- i) To encourage academic teaching staff to make every reasonable effort to promote honest academic conduct among their students and ensure that their evaluations of students reflect each student's true performance. They must avoid any exploitation, harassment, or discriminatory treatment of students
- j) To protect academic teaching staff and students from reprisals for disagreeing with administrative policies or proposals
- k) To give academic teaching staff and students the right to challenge one another's views, but not to penalise them for holding them
- l) To protect an academic's authority to assign grades to students, so long as the grades are not capricious or unjustly punitive. More broadly, academic freedom encompasses both the individual and institutional right to maintain academic standards
- m) To give academic teaching staff appropriate latitude in deciding how to teach the courses for which they are responsible
- n) To give academic teaching staff the freedom to join and participate within independent Academic Bodies
- o) To give students the freedom to join and participate within student councils, societies and associations

## **Academic Freedom and Prevent**

The Prevent policy is not intended to infringe on the academic freedom given to staff and students under this policy. The Prevent duty should not inhibit academic and balanced discussion of controversial issues such as religion, politics, or current affairs.

However, staff are expected to ensure their academic content, course delivery and behaviour:

- a) exemplify and promote fundamental values of democracy, the rule of law, liberty, and mutual respect and tolerance for those with different faiths, beliefs and opinions
- b) respect the rights of others in respect of protected characteristics (race, nationality, gender, sexuality, age, religion/belief, disability, pregnancy, marriage and civil partnerships, and gender reassignment), and comply with the responsibilities under the Equality Act 2010
- c) avoid promoting or giving a platform for furthering extremist ideologies or terrorism

### Further Assistance for Students and Staff

**Students:** If you have any further questions or require assistance in relation to this policy, please discuss with a member of the Student Services Team.

**Staff:** If you have any further questions or require assistance in relation to this policy, please discuss with your line manager or College Director/Principal.

### Policy Review

This policy will be reviewed every two years by the Navitas UPE Academic Board unless there are internal or legislative changes that necessitate earlier review. The policy was last reviewed on 12 January 2023 and approved as a Chair's action on behalf of the UPE Academic Board.