



Academic Freedom Policy Statement

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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 Birmingham City University International College policy on freedom of speech.

1.0 Introduction, Definition and Purpose

In line with the expectations of the Higher Education Code of Governance (2014), and specifically the principle on academic freedom stated in Element 4.3, we have produced a policy statement on academic freedom.

Birmingham City University International College is observing the following definition of academic freedom as specified in the Education Reform Act 1988.

'Academic freedom' is a term used to describe the law that allows for open and honest debate in an academic context. Birmingham City University International College has a legal duty to secure the development of students' ideas and understanding in the form of academic freedom on our campuses'.

According to the Office for Students, academic freedom is defined as academic staff at an English higher education provider having freedom within the law:

- To question and test received wisdom;
- 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.

The purpose of our academic freedom policy is to support the full development of our educational philosophy and pedagogy. Birmingham City University International College 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 inquiry 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.

2.0 Scope and Application

2.1 Scope

This Policy applies to all academic staff who are engaged in teaching. The Colleges will maintain the academic freedom of staff, 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 Birmingham City University International College teaching staff.

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. However, Navitas UPE requires responsible and legal use of the technologies and facilities available to staff and students of the Colleges, including the use of the internet, email and social media.

It must be noted that 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 Partner University 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 complied with at all times. In addition, the content will form part of a bespoke training programme on this theme.

2.2 Application

Every manager, staff member and student is required to take personal responsibility for understanding the basic provisions of this policy and its day-to-day application.

3.0 Key Principles and Rights

3.1 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 enable academic teaching staff to fulfil their functions without unlawful discrimination or censorship of any kind;
- c) 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;
- d) To maintain an effective, safe, and supportive learning environment and promote an atmosphere of fairness and equity in his or her relationships with students;
- e) 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;

- f) To take care and always be careful to distinguish between our personal views and those of Birmingham City University International College;
- g) 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.
- h) 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.
- i) To protect academic teaching staff and students from reprisals for disagreeing with administrative policies or proposals;
- j) To give academic teaching staff and students the right to challenge one another's views, but not to penalize them for holding them;
- k) 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;
- l) To give academic teaching staff appropriate latitude in deciding how to teach the courses for which they are responsible.

4.0 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 prevent the 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 partnership 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.

5.0 Approval Policy

The policy is endorsed and fully supported by the Board of Directors and Executive Leadership Team.

6.0 Related Policies

Please see the following documents and policies for further information.

- Freedom of Speech policy
- Grievance policy
- Disciplinary Policy
- Equality, Diversity and Inclusion statement
- Employee Code of Conduct
- NPR M1c (PREVENT)

7.0 Further Assistance

If you have any further questions or require assistance in relation to this policy, please discuss with your line manager or HR Services.

We are intending to add a paragraph on academic freedom to our academic teaching staff contracts and insert a summary of our academic freedom policy in staff and student handbooks.

8.0 Policy Review

This policy will be reviewed annually by Navitas UPE Academic Board, unless there are internal or legislative changes that necessitate earlier review.

The Policy was last reviewed on 12 February 2020 by the UPE Academic Board.