

Document Name	Freedom of Speech Code of Practice
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Brief Description of Policy	This Code of Practice describes how Navitas and its Embedded Colleges ensure that freedom of speech is secured throughout its facilities. Navitas recognises that higher education institutions in the UK play an important role in promoting academic freedom and freedom of speech, which is underpinned by legislation.

Version Control

Date	Version	Summary of changes	Approver
October 2025	25_01	<ul style="list-style-type: none"> Replaces previous QS18 Academic Freedom policy and QS19 Freedom of Speech policy Renamed QS18 Freedom of Speech Code of Practice Updated former QS19 to reflect legislative changes under the Higher Education (Freedom of Speech) Act 2023 Clarity provided to sections: Information and Procedures for College Events and External Speakers, Free Speech complaints, Appendix A New sections include: Protests, Non-Disclosure Agreements, Advice and Guidance, Appendix B Key Related Documents updated to include: Sexual Misconduct Prevention and Response Policy and Procedure, Whistleblowing Policy, Staff Grievance Procedure 	NUKH Governing Body

Key Related Documents

Name	Document Location – Students, visitors	Document Location - Staff
M01a Safeguarding Children and Vulnerable Adults Policy	College website	Policy Hub
M01c Prevent Policy	College website	Policy Hub
QS10a Student Complaints Policy	College website	Policy Hub
QS11 Student Disciplinary Policy	College website	Policy Hub
QS13a Harassment Policy	College website	Policy Hub
QS13b Sexual Misconduct Prevention and Response Policy	College website	Policy Hub
QS13b_01 Sexual Misconduct Prevention and Response Procedure for Students	College website	Policy Hub
Sexual Misconduct Prevention and Response Procedure for Staff	N/A	Policy Hub
QS19 External Speaker and Event Procedure	College website	Policy Hub
Whistleblowing Policy	College website	Policy Hub
Staff Disciplinary Procedure	N/A	Staff Intranet
Staff Grievance Procedure	N/A	Staff Intranet

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Background and Introduction

Navitas University Partnerships Europe ('Navitas UPE' or 'Navitas') is a specialist provider of University Pathways education. We have a global reputation for transforming students' lives by providing access to higher education to students from all backgrounds and from across the world.

Navitas UPE operates a number of higher education institutions, known as Embedded Colleges, across the UK and Europe ('Colleges' and 'Campuses') in partnership with established Universities ('University Partners').

The Governing Body of Navitas UK Holdings Limited (NUKH)¹ is responsible for the oversight of the academic and operational outcomes of Navitas UPE within the UK and is responsible for this Code of Practice.

The Higher Education and Research Act 2017 (as amended by the Higher Education (Freedom of Speech) Act 2023) requires Navitas to maintain a Code of Practice setting out its values and procedures in relation to freedom of speech and academic freedom and how those values uphold those freedoms.

For the purpose of this Code of Practice, and in accordance with paragraph 13 of section A1 of Part A1 of the Higher Education and Research Act 2017 (as amended by the Higher Education (Freedom of Speech) Act 2023), references to freedom of speech are to the freedom to impart ideas, opinions or information (referred to in Article 10(1) of the European Convention on Human Rights (ECHR), as it has effect for the purposes of the Human Rights Act 1998) by means of speech, writing or images (including in electronic form).

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, even if passive in nature, that interfere with campus activities, the freedom of movement on the campus or freedom for students to pursue their studies are the antithesis of academic freedom. These are all acts which in effect deny freedom of speech, freedom to be heard, and freedom to pursue scholarly activity of their own choosing for the members of the Navitas academic community or invited visitors.

UK higher education institutions have a long and rich history in welcoming visiting speakers from around the world to campuses. External speakers give students and staff the opportunity to hear relevant opinions and insights from someone other than scheduled teaching staff, thus enriching their overall university experience and encouraging discussion and debate.

Navitas seeks to expose students to a wide range of views, including those that challenge commonly accepted ideas and conventional wisdom. There should be no limit in principle to the range of views within the law to which students, staff and members might be exposed across the full range of speaker meetings and other activities covered by this Code of Practice. These may include views that some or all students might find shocking, disturbing or offensive.

Navitas recognises that higher education institutions in the UK play an important role in promoting academic freedom and freedom of speech, which is underpinned by legislation.

¹ Navitas UK Holdings Limited (NUKH) is a registered UK Learning Provider and a registered Provider with the Office for Students in England – the higher education regulator. Each College in the UK has its own registered legal entity of which NUKH has control. Colleges are described as Embedded Colleges under the regulator registration. Throughout this Code of Practice NUKH and its Embedded Colleges may be referenced as 'Navitas' or 'Navitas UPE' or 'the College'.

This Code of Practice should be read in conjunction with other relevant policies of the College including but not limited to: Harassment, Sexual Misconduct Prevention and Response, Safeguarding Children and Vulnerable Adults, Prevent, Student Disciplinary, Student Complaints, Whistleblowing, Staff Disciplinary and Procedures. A list of related policies and procedures and their location can be found in the table on page 1 of this document.

Nothing in any of the above listed policies should be read as undermining or conflicting with this Code of Practice, and in the case of any conflict relating to matters of freedom of speech or academic freedom, this Code of Practice will take precedence.

Values relating to Freedom of Speech

Navitas has a commitment to protecting and promoting freedom of speech and academic freedom that is underpinned in the organisation's governance code².

Navitas endorses freedom of ideas and expression as an essential feature of an education establishment. Navitas commits to promoting and positively encouraging free expression and debate amongst all staff, students and visitors. Freedom of speech must be set in the context of the company's values and those of a democratic and inclusive society. Navitas expects staff, students, visitors and speakers to respect those values and to be sensitive to its increasingly diverse and inclusive community.

A statement of the Navitas value principles can be found in [Appendix A](#).

Legal and Regulatory Framework

The Higher Education and Research Act 2017 (as amended by the Higher Education (Freedom of Speech) Act 2023) requires Navitas UPE to:

- take the steps that, having particular regard to the importance of freedom of speech, are reasonably practicable for it to take in order to:
 - secure freedom of speech within the law for staff members, students and visiting speakers
 - secure the academic freedom of academic staff, including their freedom within the law to question and test received wisdom and to put forward new ideas and controversial or unpopular opinions, without placing themselves at risk of being adversely affected by loss of their jobs or privileges or the likelihood of their securing promotion or different jobs at the provider being reduced
 - secure that the use of College premises³ is not denied to any individual or body on any ground connected with the ideas or opinions of that individual or of any member of that body or the policy or objectives of that body and the terms on which such premises are

² The NUKH Governing Body terms of reference outlines a primary responsibility to protect the principles of academic freedom and freedom of speech legislation. The terms of reference and commitment to governance can be found [here](#).

³ The term "premises" is deemed to mean all buildings, grounds, gardens, courtyards and other open spaces the College has association by ownership, lease, used by licence or permission, including any designated for student use. It also includes online or virtual classrooms and communication spaces managed by Navitas.

- provided are not to any extent based on such grounds; and
- secure that where a person applies to become a member of academic staff of the College, they are not adversely affected in relation to the application because they have exercised their academic freedom within the law.
- maintain a Code of Practice and take the steps that are reasonably practicable for it to take in order to secure compliance with its code of practice; and
- promote the importance of:
 - a) freedom of speech within the law, and
 - b) academic freedom for academic staff, in the provision of higher education.

In complying with its free speech duties, Navitas will also have regard with varying duties under other legislative and regulatory guidance including but not limited to:

- The European Convention on Human Rights as incorporated into UK law by the Human Rights Act 1998
- The Counter Terrorism and Security Act 2015 (as amended by the Higher Education (Freedom of Speech) Act 2023) and Terrorism Acts of 2000 and 2006
- The Prevent Duty Monitoring Framework of the Office for Students
- Regard for the duty to eliminate discrimination, harassment, victimisation and advance equality as imposed by the Equality Act 2010
- Civil and criminal harassment offences, and similar conduct, under the Protection from Harassment Act 1997'
- The Public Order Act 1986 relating to conduct, speech or actions which cause persons to fear for their safety or cause other harassment, alarm or distress
- The Office for Students Regulatory Framework including the Public Interest Governance Principles
- The freedom of speech and academic freedom elements of the Higher Education Code of Governance (2020)
- Navitas' governance codes.

Any decision made under this Code of Practice or otherwise made by Navitas shall be made compatibly with the free speech duties contained in the various pieces of legislation highlighted.

Scope of the Code of Practice

This Code of Practice applies to the following:

- Each Navitas College ('the College') within the UK
- All persons (whether academic staff or otherwise) who are employed by or otherwise work for Navitas,

including members of the Governing Body, or who have applied to become a member of academic staff at the College

- Visiting lecturers, visiting specialists and guest speakers present by invitation of the College
- All registered students (whether full or part-time) of the College
- All external speakers, as defined by someone who has been invited to speak at an event for purposes that are not a designated part of an academic course of study, research activity or an academic offer. This definition includes pre-recorded, streamed or broadcast materials from a speaker. An external speaker is not a student, staff member, University Partner staff member, a Governor of Navitas or any of the wider Navitas community.
- All organisations or persons who use the College premises

The Code of Practice applies to the following types of meetings, events and teaching engagements whether including an external speaker or not:

- Events hosted or organised by the College in its premises including:
 - Both in-person and online/virtual/remote engagements such as over videoconference, online lectures/tutorials or webinars run by the College
 - All academic activities of the College
 - Exhibitions organised or hosted by the College
 - Events arranged by College staff, outside normal teaching programmes
- Navitas UPE hosted, organised or branded events held off College premises
- Events at the College premises organised or hosted by a third party

Where this Code of Practice does not apply to an event, activity or situation, but a different College policy does (for example the Student Disciplinary Policy), the College shall comply with its legal duties in relation to freedom of speech and academic freedom, alongside its other legal obligations, in applying its policies.

General Provisions of the College

The College shall take the steps that are reasonably practicable for it to take (including where appropriate the initiation of disciplinary measures) in order to secure compliance with this Code of Practice.

Any wilful breaches of this Code of Practice by staff or students of the College, shall be investigated in accordance with the relevant disciplinary procedures and, if necessary, by recourse to the law.

The College will start from a presumption that:

- a) all speech is permitted; and
- b) all teaching materials and views expressed as part of teaching or research and connected with a course of study are unlikely to constitute harassment.

An event which creates an atmosphere of fear, harassment, intimidation, verbal abuse or violence particularly in connection to age, disability, gender, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, nationality, religion or belief, and sexual orientation is likely to be unlawful.

Whilst the College does not encourage students or staff to report others over lawful expression of a particular viewpoint the College will ensure that appropriate procedures are in place in order to allow its community to report any instance of alleged harassment and/or sexual misconduct and for their concerns to be investigated promptly and thoroughly, with the appropriate measures taken in response, including, where necessary, reference to the Police and other external bodies. The College policy on Harassment (QS13a) and Sexual Misconduct Prevention and Response (QS13b) underpins this approach.

The College shall:

- ensure this Code of Practice be communicated to its students during registration (orientation) and staff (on an annual basis) and through new staff induction
- ensure that all College staff receive annual training on freedom of speech and academic freedom
- periodically survey staff, students and other stakeholders to secure their views on whether freedom of speech and academic freedom are being adequately protected, and take the findings into account
- ensure that there are adequate processes in place to raise concerns about freedom of speech and academic freedom
- ensure that when new policies and procedures are introduced due consideration is given to their impact on freedom of speech and academic freedom, and
- monitor any concerns that have been raised about freedom of speech and academic freedom and where necessary take reasonable steps to ensure that legitimate concerns are addressed and that any lessons learned are incorporated into a review of relevant policies, practices and procedures.

Information and Procedures for College Events and External Speakers

UK Universities and Colleges have a long and rich history in welcoming visiting speakers from around the world to their campuses. External speakers give students and staff the opportunity to hear relevant opinions and insights from someone other than scheduled teaching staff, thus enriching their overall study experience and encouraging discussion and debate.

Navitas UPE has in operation an external speaker and events procedure (QS19 External Speaker and Events Procedure) that aligns to the aims of this Code of Practice ensuring that freedom of speech and academic freedom are protected within the law.

Every individual engaged in any events with or at the College shall take such steps as are reasonably practicable to ensure that those freedoms are secured and promoted for students, staff and visiting speakers.

The External Speaker and Events Procedure outlines clear practice for assessing an external speaker request and managing the risks associated with an event. This includes a clear set of roles and responsibilities for those

involved at multiple stages of the request and approval process, varying decision-making steps, complaints and appeals, and formal timescales.

The procedure aims to ensure appropriate safeguards are in place for staff, students and visitors including the facilitation and measures that may be required to support an event. Following the procedure ensures that the College premises are not used to express or promote extremist views.

Provided the legal obligations outlined in this Code of Practice are upheld, use of the College premises will not be denied to any individual or body on any ground connected with:

- The ideas or opinions of that individual or of any member of that body; or,
- The policy or objectives of that body; and the terms on which such premises are provided are not to any extent based on such grounds.

Navitas UPE will not, as far as is reasonably practicable, deny access to its premises to individuals or bodies on the basis of their beliefs, views or policies, unless these beliefs, views or policies are unlawful, do not comply with equalities legislation or represent a threat to the safety of staff and students.

It shall therefore be reasonable to refuse consent where there is reasonable belief (from the nature of the external speaker or from similar activities in the past whether held at the College or otherwise) that:

- the views likely to be expressed by an external speaker are contrary to the law
- the intention of an external speaker is likely to be to incite breaches of the law or to intend breaches of the peace to occur
- the event will include or is likely to include the denial of the opportunity at the event to express an opposing opinion
- the external speaker and/or the organisation they represent advocates or engages in violence or non-violent extremism in the furtherance of their political, religious, philosophical or other beliefs
- the views likely to be expressed by any speaker are for the promotion of any illegal organisation or purpose, including organisations listed on the government's list of proscribed terrorist groups or organisations
- the costs associated with arranging security measure is deemed unreasonable
- it is in the interests of public safety, or
- for the prevention of disorder or crime and the protection of the health and safety of persons lawfully on College premises.

A risk assessment will be carried out for events that are deemed high risk based on the scope and compliance of this Code of Practice and applicable legislation. Risk assessments relating to external speakers are undertaken in accordance with the External Speaker and Events Procedures.

Protests

The College acknowledges that protest is itself a legitimate expression of freedom of speech. However, a protest must not shut down debate, must be within the law, must not disrupt the operation of the College and must be compliant with the University Partner's policies on protests.

The College may need to take such steps as are necessary to regulate the time, place and manner of expression, where there are compelling reasons to do so. For instance, if a protest directly interferes with others' learning, teaching or research.

Non-Disclosure Agreements

In accordance with paragraph 11 of section A1 of the Higher Education and Research Act 2017 (as amended by the Higher Education (Freedom of Speech) Act 2023), the College shall not enter into a non-disclosure agreement with a member of staff, student or visiting speaker in relation to a relevant complaint* made to the College by such person which purports to any extent to preclude the person from publishing information about the relevant complaint, or disclosing information about the relevant complaint to any one or more other persons.

*Relevant complaint means a complaint relating to misconduct or alleged misconduct by any person and misconduct means (a) sexual abuse, sexual harassment or sexual misconduct, and (b) all forms of harassment.

Free Speech Complaints

The College will strive to create a culture of openness and trust which enables staff members and students to feel able to bring freedom of speech issues and other related matters to the attention of the organisation as appropriate. Navitas is committed to notifying the OfS and relevant University Partners of such breaches of conduct, if appropriate. Furthermore, the College will adhere to the Navitas (global) policy on whistleblowing and use the platform it provides for raising concerns regarding freedom of speech and other matters related to this policy.

If an individual (staff, student or external visitor/speaker) considers there to have been a breach of this Code of Practice, they have the right to make a formal complaint to Navitas UPE Academic Registry:

Academic.Registry@navitas.com

All complaints will be handled in accordance with the relevant Complaints policy (QS10a Student Complaints Policy / Staff Grievance Procedure).

Advice and Guidance

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

Specific guidance from the Office for Students, the higher education regulator for England, on freedom of speech can be found [here](#).

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

Policy Review

This policy will be reviewed every year unless there are internal or legislative changes that necessitate an earlier review.

Appendix A – Navitas Value Principles on Freedom of Speech and Academic Freedom

- Navitas value freedom of speech, academic freedom and freedom of expression.
- Navitas recognises and promotes the fundamental importance of these rights in support of education, research, free enquiry, and the scientific method. These rights are powerful. They question orthodoxy, challenge authority and protect the vulnerable. Higher education institutions have safeguarded these rights for centuries, and Navitas will continue to secure and promote these rights for the future.
- Freedom of speech and academic freedom help us learn, educate, and add to the sum of human knowledge. They help students and staff to achieve excellence.
- Navitas learn from those who disagree with us, as well as from those who share our views. Our College premises may host a range of speakers and views. That does not mean that we all endorse everything that is expressed here. Having the right to express your views does not mean your views are correct, or that others must agree with you. We will treat others with respect, even if we disagree with their views.
- Freedom of speech does not mean that all views are equal. We are an academic community. We assess the quality of an argument by reference to evidence, facts, and the scientific method. When we learn, teach, and research, we will be guided by this drive for quality.
- Freedom of speech and academic freedom are bounded by the law. Unlawful harassment, threats and discrimination will not be tolerated.
- Freedom of speech is not absolute. A person's right to freedom of speech must sometimes be balanced against the rights and freedoms of others.
- Navitas has other fundamental legal duties, such as its duty to eliminate unlawful discrimination, to advance equality of opportunity and participation in public life, and to care for its campus communities. Balancing these rights and duties can be complex. As with all it does, Navitas will strive for excellence in fulfilling its duties and promoting the rights of all.
- Navitas' commitment to protecting and promoting freedom of speech and academic freedom is underpinned in the organisation's governance code⁴.
- Navitas academic teaching staff, including visiting and guest lecturers legitimately present by invitation of Navitas 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.
- Our values of Respect and Rigour uphold Navitas's commitment to freedom of speech. We endeavour to offer an environment in which ideas and opinions are open to challenge and where the highest standards of academic rigour are pursued.
- Navitas expect all staff and students to respect its values, be sensitive to diversity and show respect to all

⁴ The Governing Body terms of reference outlines a primary responsibility to protect the principles of academic freedom and freedom of speech legislation. The terms of reference and commitment to governance can be found [here](#).

sections of the community.

To deliver on its values Navitas and its community will:

- 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.
- Enable academic teaching staff to fulfil their functions without unlawful discrimination or censorship of any kind.
- 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.
- Maintain an effective, safe, and supportive learning environment and promote an atmosphere of fairness and equity in their relationships with students.
- 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.
- Take care and always be careful to distinguish between personal views and those of Navitas.
- 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.
- 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.
- Protect an academic's authority to assign grades to students, so long as the grades are awarded according to a marking criterion and are not capricious or unjustly punitive. More broadly, academic freedom encompasses both the individual and institutional right to maintain academic standards.
- Protect academic teaching staff and students from reprisals for disagreeing with administrative policies or proposals.
- Give academic teaching staff and students the right to challenge one another's views, but not to penalise them for holding them.
- Give academic teaching staff appropriate latitude in deciding how to teach the courses for which they are responsible.
- Give academic teaching staff the freedom to join and participate within independent Academic Bodies.
- Give students the freedom to join and participate within student councils, societies and associations.

Appendix B – Navitas University Partnerships

Navitas UPE currently operates in partnership with the following UK Universities with each University Partner maintaining their own Free Speech Code of Practice or freedom of speech guidance. Upon progression to the University Partner the free speech guidance of the University will apply to you. Details of each University guidance can be found by following the relevant links below.

University Partner	Navitas UPE College
Anglia Ruskin University anglia.ac.uk Freedom of Speech and Prevent link here	Anglia Ruskin University College (ARUC) arucollege.com
Birmingham City University bcu.ac.uk Freedom of Speech Code of Practice link here	Birmingham City University International College (BCUIC) bcuic.navitas.com
Brunel University London brunel.ac.uk Freedom of Speech Statement link here	Brunel Pathway College (BPC) pathway.brunel.ac.uk
Keele University keele.ac.uk Freedom of Expression link here	Keele University International College (KUIC) kuic.keele.ac.uk
Manchester Metropolitan University mmu.ac.uk Freedom of Speech link here	Manchester Metropolitan University International College mmu.ac.uk/international/college
Robert Gordon University https://www.rgu.ac.uk/ Prevent and External Speakers link here	The International College at Robert Godon University (ICRGU) icrgu.navitas.com
The University of Hertfordshire herts.ac.uk Freedom of Speech link here	Hertfordshire International College (HIC) hic.navitas.com
The University of Plymouth plymouth.ac.uk Freedom of Speech and Academic Freedom link here	University of Plymouth International College (UPIC) upic.navitas.com
The University of Portsmouth port.ac.uk Freedom of Speech Principles and Code link here	International College Portsmouth (ICP) icp.navitas.com
Swansea University https://www.swansea.ac.uk/ Freedom of Speech Code of Conduct link here	The College, Swansea University (TCSU) swansea.ac.uk/the-college
University Academy 92 ua92.ac.uk Freedom of Speech Policy and Procedure link here	University Academy 92 Global (UA92 Global) global.ua92.ac.uk