

Gazette Supplement



Code of Practice on Meetings and Events

Approved by Council on 20 July 2016

The following Code of Practice on Meetings and Events was approved by Council on 20 July 2016. It supersedes the Code of Practice on Freedom of Speech (Supplement (1) to *Gazette* No 5092, 22 April 2015).

Preamble

1 Freedom of speech and academic freedom are central tenets of university life.

2 The University of Oxford seeks to protect robustly civic and academic freedoms and to foster an academic culture of openness and inclusivity, in which members of our community engage with each other, and the public, in debate and discussion, and remain open to both intellectual challenge and change.

3 The legal duty of UK universities to protect free speech is enshrined in legislation, including the Education (No 2) Act 1986 and the Human Rights Act 1998 and academic freedom is protected by the Education Reform Act 1988. Section 43 of the Education (No 2) Act 1986 specifically requires universities to:

(a) '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';

(b) 'ensure so far as is reasonably practicable, that the use of any premises of the establishment is not denied to any individual or body of persons on any ground connected with

a. the beliefs or views of that individual or of any member of that body; or

b. the policy or objectives of that body'; and

(c) issue and keep up to date a code of practice for meetings and events.¹

4 The central importance of freedom of speech and academic freedom in a university underlies this Code.

Scope

5 This Code of Practice must be followed by all members, students and employees of the University and visiting speakers in respect of:

(a) all meetings and other events, to be held outdoors or indoors, on University and Oxford University Student Union (OUSU) premises, including those organised by third parties; and

(b) all meetings and other events, which are University funded, affiliated or branded (with the exception of events at Recognised Independent Centres²) regardless of location.

Colleges have their own Codes of Practice for dealing with meetings and events.

6 It is not anticipated that events and meetings which have been organised as part of the academic curriculum or co-curriculum would cause concern such as to require formal referral to the Proctors under the provisions of this Code.

Key principles

7 Freedom of speech and academic freedom must be protected.

¹www.legislation.gov.uk/ukpga/1986/61/section/43

²The University currently has five RICs: the Oxford Centre for Buddhist Studies; the Oxford Institute for Energy Studies; the Oxford Centre for Hebrew and Jewish Studies; the Oxford Centre for Hindu Studies; and the Oxford Centre for Islamic Studies. These RICs will be responsible for implementing a system to support all events with proposed external speakers in accordance with the spirit of this Code. They will undertake the local assessment with/on behalf of any outside organisations involved with the event.

8 The University believes that a culture of free, open and robust discussion can be achieved only if all concerned engage critically but courteously with each other. The University does not tolerate any form of harassment or victimisation and expects all members of the University community, its visitors and contractors to treat each other with respect, courtesy and consideration.³ The University is committed to fostering an inclusive culture which promotes equality, values diversity and maintains a working, learning and social environment in which the rights and dignity of all members of the University community are respected. All activity must be risk assessed and planned in accordance with the 'University statement of health and safety policy'.⁴

Procedure

9 Members, students and employees of the University who are organising meetings or events or are responsible for administering external bookings of University or OUSU premises are responsible for assessing whether there are any major risks or issues in the context of this Code, in particular with reference to paras 7-8 and 10. (If they are in any doubt or have any questions or need for further information, they are encouraged to discuss the situation with colleagues locally in the first instance, and then seek advice, as appropriate, from University Security Services or the Proctors' Office.)

10 Events and meetings must be formally notified to the Proctors using the Event Referral Form⁵ where there are concerns that the meeting or event:

³For details, see www.admin.ox.ac.uk/eop/harassmentadvice/policyandprocedure

⁴For details, see www.admin.ox.ac.uk/safety/hs-mgement-policy/univpolicy

⁵Available from the Proctors' Office and on the Prevent website (www.ox.ac.uk/staff/working_at_oxford/policies_procedures/prevent-duty)

(a) may give rise to an environment in which people will experience, or could reasonably fear, discrimination, harassment, intimidation, verbal abuse or violence, particularly (but not exclusively) on account of their age, disability, gender reassignment, marriage or civil partnership, pregnancy, maternity, race, religion or belief, sex or sexual orientation;

(b) is likely to pose a risk to the safety of those lawfully on University premises; or that it may prompt a risk to public safety.

As required by section 12 of the Terrorism Act 2000, the University will not give permission to hold a meeting or event where it is known that:

(a) the proposed speaker belongs to, or professes to belong to, a proscribed organisation⁶; or

(b) the proposed speaker will use the event to support, or to further the activities of, a proscribed organisation.

Role of the Proctors

11 In the context of this Code, the Proctors are entrusted with the duty to assess the implications of events formally referred to them and to act in accordance with the University's legal responsibilities, including:

(a) the importance of academic freedom (as required eg by the Education Reform Act 1988);

(b) the need to ensure that freedom of speech within the law is secured (as required eg by the Education (No 2) Act 1986);

(c) the rights and freedoms enshrined in the European Convention on Human Rights and incorporated into domestic law by the Human Rights Act 1998;

(d) to have due regard to the need to eliminate unlawful discrimination, promote equality of opportunity, and foster good relations between different groups in accordance with the Public Sector Equality Duty; and

(e) the Counter-Terrorism and Security Act 2015 which requires universities and other 'specified authorities' to 'have due regard to the need to prevent people from being drawn into terrorism' (section 26 (1)) and which also provides that 'when carrying out the duty imposed by section 26 (1)', universities 'must

have particular regard to the duty to ensure freedom of speech; and to the importance of academic freedom.'⁷

12 The Proctors shall act in a risk-based and proportionate manner and with the desire, wherever possible, to enable events or meetings to proceed.

Referral

13 In order to refer a meeting or event to the Proctors an Event Referral Form must be completed and submitted to the Proctors' Office at least seven (7) working days in advance of the meeting or event (although the Proctors may, at their discretion, agree to receive information closer to the time of the meeting than this).

14 An intentional or reckless breach of this Code of Practice or a frivolous, vexatious and/or malicious referral may lead to disciplinary action being taken under the appropriate University procedure.

Decisions

15 The Proctors have the power to postpone or relocate a meeting or event or to impose conditions. The responsibility for fulfilling these conditions rests with the organisers.

16 In the exceptional event that the Proctors consider that the risks cannot be mitigated by the imposition of conditions, or the organisers refuse to comply with the Proctors' conditions, the Proctors have the right to cancel the meeting or event and they may do so even if an Event Referral Form has not been provided.

17 The Proctors will communicate their decision promptly and will set out the reasons for the decision.

Appeal

18 If an organiser or any member of the University or member of University staff who has consulted the Proctors with concerns about a meeting or event is unhappy with the outcome of a decision of the Proctors they may write to the Vice-Chancellor, setting out clear reasons for their unhappiness with the decision and requesting a reconsideration of the decision.

19 The Vice-Chancellor or the Vice-Chancellor's delegate (as appropriate) will communicate their decision on the appeal promptly and will set out the reasons for the decision.

Review of the operation of the Code

20 The Registrar, in consultation with the Proctors, shall review the operation of this Code after its first twelve (12) months and report to Council on any recommended changes.

⁶www.gov.uk/government/publications/proscribed-terror-groups-or-organisations-2

⁷www.legislation.gov.uk/ukpga/2015/6/enacted