

# WYCLIFFE HALL

- OXFORD -



## Code of Practice - Freedom of Speech

### 1. Background

- 1.1 As a Christian community Wycliffe Hall believes that all people have dignity and worth because all people are made in the image of God, are valued and beloved by Him and should be enabled to develop to their full potential, spiritually, intellectually, physically and socially. As part of Wycliffe Hall's commitment to this truth, we seek to maintain a working, learning and social environment in which the rights, dignity and diversity of all members of the Hall community – staff, students and visitors – are respected. Those rights include freedom of expression and freedom of speech as defined in law.
- 1.2 Wycliffe Hall is committed to maintaining a culture of free, open and robust discussion; this can only be achieved if all concerned avoid needlessly offensive or provocative action or language.

### 2. Scope

- 2.1 This Code of Practice applies to all staff and students and any person using Wycliffe Hall's premises and/or facilities to hold a meeting or event, including online meetings. The provisions of this Code also apply to situations where Wycliffe Hall is proposing, or has received a proposal, to allow a third-party organisation or group to hold an event using premises and/or facilities associated with Wycliffe Hall.
- 2.2 A breach of the Code of Practice may result in disciplinary action where applicable.
- 2.3 Members of the University of Oxford should be mindful that the University's Code of Practice on Freedom of Speech and disciplinary regulations will also apply to their activities on Wycliffe Hall premises as elsewhere. Wycliffe Hall will fully co-operate with the University of Oxford's Proctors and other authorities in operation of the University's Code of Practice in respect of meetings and events held or planned to be held at Wycliffe Hall and any resulting issues, complaints, or disciplinary action.
- 2.4 In the event a member of the University of Oxford is organising a meeting, event or public gathering on Wycliffe Hall premises and is in any doubt about the application of either the University's Code of Practice or Wycliffe Hall's Code of Practice that member has a choice to:
  - a) invoke the University's Code of Practice and follow that process; or
  - b) bring the matter to the attention of Wycliffe Hall's Senior Management Team under Wycliffe Hall's Code of Practice
- 2.5 Any other event organiser in doubt about the application of this Code of Practice to any meeting, event or public gathering on Wycliffe Hall premises is under an obligation to consult the Principal, who will determine whether the provisions of the Code apply.

### 3. Key Principles

- 3.1 This Code of Practice sets out practical advice and guidance to ensure that activities organised in association with Wycliffe Hall and/or on the Hall's premises, that fall within the remit of this Code can be given due consideration, to ensure that they do not contravene Wycliffe Hall's commitment in respect of freedom of expression and/or its obligations to ensure the health, safety and wellbeing of its community. Wycliffe Hall has to ensure that its

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community is able to work, study and live in a safe environment free from unlawful intimidation, harassment or abuse.

- 3.2 Wycliffe Hall has a legal duty under Section 43 of the Education (No 2) Act 1986 to take such steps as is reasonably practicable to ensure that freedom of expression within the law is secured for its staff, students and visiting speakers. This duty includes a responsibility to ensure that the use of Wycliffe Hall's premises is not denied to any individual or group on the grounds of the belief or views of that individual or any member of that group or on the grounds of the policy or objectives of the group. It should be noted that Wycliffe Hall does not, however, have any obligations to allow meetings to be open to members of the public.
- 3.3 Wycliffe Hall is mindful of its pro-active duties under equality legislation. The right to freedom of speech is constrained by laws protecting others from discrimination, victimisation and harassment, protecting national security and public safety, preventing disorder or crime, protecting the reputation and rights of others, and preventing the disclosure of information received in confidence.
- 3.4 Wycliffe Hall will not tolerate hate crime or incitement to commit illegal acts, and in situations where the acts of individuals involve alleged breaches of criminal law, Wycliffe Hall will assist the prosecuting authorities in implementing the due process of law.
- 3.5 The Principal is responsible for ensuring, as far as is reasonably practicable, that all staff and students associated with Wycliffe Hall and all visiting speakers comply with the provisions of this code. Authority with regard to this Code of Practice may be delegated in general or specifically to other members of Wycliffe Hall staff in accordance with the wishes of the Principal, or the Chair of the Hall Council.

### Meetings and Events on or associated with Wycliffe Hall Premises and/or Facilities

#### 4. Meetings and Events to which this Code Applies

- 4.1 Reference to a meeting in this Code refers to meetings or other events where the nature of the meeting or event, the identity of the speaker or speakers or some other factor gives rise to reasonable concern on the part of the organisers, the Senior Management Team or other individuals that the proposed meeting or event may be disrupted or may result in violence, disorder, harassment or any other unlawful activity.
- 4.2 The Senior Management Team is responsible for approving suitable arrangements for such meetings and events and may make such directions, or issue such guidance, as is necessary to ensure that the nature and conduct of the meeting is lawful and in accordance with the provisions of this Code.

#### 5. Organisation of Such Meetings or Events

- 5.1 It shall be the duty of the organisers of every such meeting or event to seek the approval of the Senior Management Team for the holding of that meeting.
- 5.2 Any other member of the Wycliffe Hall community or member of staff who has concerns about a prospective meeting should bring his or her concerns promptly to the attention of the Principal, and the Senior Management Team shall take such reasonable steps as are warranted under section 4.2.
- 5.3 Organisers should supply details of the date, time and place of the meeting, the names, addresses, and Colleges/PPHs (if any) of the organisers, the name of the organisation making the arrangements, and the name of any expected speaker, whether or not a member of Wycliffe Hall or Oxford University. Information is required at least ten working days in advance (although the Senior Management Team may, at their discretion, agree to receive information closer to the time of the meeting than this). The Senior Management Team may cancel any meeting or event where the required information has not been provided ten working days in advance.
- 5.4 The Senior Management Team will risk assess the proposed activity in consideration of factors such as:
  - i) the possibility of disruption or disorder as a result of the proposed timing and/or location of the activity and its coincidence with other local or national events;

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- ii) the likelihood that an activity will give rise to an environment in which people will experience, or could reasonably fear, harassment, intimidation, verbal abuse or violence, particularly because of their age, disability, gender reassignment, marriage or civil partnership, pregnancy, maternity, race, religion or belief, sex and/or sexual orientation;
  - iii) the risk to health, safety and welfare of the Wycliffe Hall Community and/or the general public.
- 5.5 The organisers of meetings and events should comply with any conditions set by the Senior Management Team concerned with the arrangements for the conduct of the meeting. Such conditions may include a requirement that tickets should be issued, that an adequate number of stewards should be provided, that the police should be consulted about the arrangements, and that the time and place of the meeting should be changed. The cost of meeting the requirements, and the responsibility for fulfilling them, rests with the organisers (save for academic meetings or events, where the expense rests with the college or PPH concerned).
- 5.6 The Senior Management Team will not seek to curtail or cancel a meeting or event unless in their considered opinion the meeting or event infringes on the legitimate rights and freedoms of others or poses a significant risk to health and safety or there is some other substantial and lawful ground for the curtailment or cancellation. The Senior Management Team will consult as appropriate with the Proctors and relevant authorities within the University of Oxford, and, where necessary with the police about forthcoming meetings and events covered by the Code. In any case where serious disruption may be anticipated which may not be effectively addressed by any condition specified under paragraph 5.5 above, the Senior Management Team shall have power, having taken into consideration any advice received from the University Proctors and/or police, to order or to advise the cancellation, postponement, or relocation of the meeting.
- 5.7 All decisions will be reached by the Senior Management Team following careful consideration of the evidence available to them and will be limited to those actions that are reasonable, proportionate and necessary to prevent crime or disorder, or otherwise protect the legitimate rights and freedoms of others.
- 5.8 If an organiser is unhappy with the outcome of a decision of the Senior Management Team he or she may write to the Principal, setting out clear reasons for unhappiness with the decision and requesting a reconsideration of the decision.

### **6. Conduct at Such Meetings or Events**

- 6.1 The organisers and those in attendance at any meeting or event must comply with any reasonable instructions given during the course of a meeting or event by a member of the Senior Management Team, by any other officer or person authorised to act on behalf of the Wycliffe Hall in the proper discharge of his or her duties, or by police.
- 6.2 It is the duty of every member, student, and employee of Wycliffe Hall not to impede any person entitled to be present from entering or leaving a place where the right to freedom of speech is being or is to be exercised. This duty is subject only to such conditions as may have been specified by the Senior Management Team in accordance with the terms of this Code of Practice or any limitations imposed or directions given by the police or other relevant public authority.
- 6.3 Nothing in this Code shall be taken to prohibit the exercise of the right to protest by peaceful means; provided always that such protest is conducted lawfully within the general principles and other requirements of this Code.

<b>VERSION CONTROL</b>					
<b>Version Number</b>	<b>Policy Gatekeeper</b>	<b>Date Approval</b>	<b>of Sub-Committee</b>	<b>Date to Take Effect</b>	<b>Date of Next Major Review</b>
<b>V.6</b>	<b>JER</b>	<b>24.11.14</b>	<b>Education</b>	<b>24.11.14</b>	<b>Trinity 2015</b>

It is the responsibility of the Gatekeeper of each policy to check annually whether there have been any legislative and/or University policy changes that are relevant to Wycliffe Hall.