Pembroke College PREVENT DUTY - POLICY DOCUMENT

Introduction

Freedom of expression is the lifeblood of a university. By supporting the dissemination of ideas it enables the pursuit of knowledge and truth. It allows students, teachers and researchers to become better acquainted with the variety of beliefs, theories and opinions that exist in the world.

Recognising the vital importance of freedom of expression for the life of the mind and academic communities, a university should never censor the content of debate other than as required by law. Equally however, the knowledge- and truth-seeking aims of a university require regulation of the conduct of debate to enable all views to be subject to rigorous academic scrutiny and open intellectual exchange.

Therefore, within the bounds set by law, any voice or view that any member of our community considers relevant should be given the chance of a hearing. As an equally integral part of our commitment to freedom of expression, however, we will take steps to ensure that all such hearings happen civilly and with a view to encouraging open and constructive intellectual debate and exchange. With appropriate regulation of the time, place and manner of events, neither speakers nor listeners should have any reasonable grounds to feel intimidated or censored.

It is this understanding of the central importance and specific requirements of freedom of expression in a university – consistent also with the understanding expressed by the University’s Conference of Colleges in its Statement on Freedom of Speech in May 2016 – that underlies the detailed procedures of the University of Oxford and Pembroke College, laid out below. In addition, College Regulations provide further guidance on how PREVENT duty will be implemented within the College.

1 The Prevent Duty

Pembroke College acknowledges that under section 26(1) of the Counter-Terrorism and Security Act (2015) it has a duty, when exercising its functions, to have due regard to the need to prevent people from being drawn into terrorism.

In order to discharge this duty, this document and a range of other policy and procedural documents have approved by the Governing Body. These documents arise from a risk assessment process that has been reviewed by the Governing Body and are prepared following guidance provided by HM Government, the Higher Education Funding Council (England) (HEFCE) and the Conference of Colleges.

Arising from its risk assessment, the College takes the view that the strength of support arrangements in the College, the character of the College community itself, and existing College procedures, are such that only minimal adjustments to its policies and procedures are required to meet the requirements of its PREVENT duty.

2 Implementation of the College’s PREVENT Duty
The College’s PREVENT duty will be implemented in a manner that is effective and proportionate having regard, in particular, to the fundamental rights and principles of human dignity, liberty and security, privacy, protection of personal data, freedom of thought, conscience and religion, freedom of expression, academic freedom, education, non-discrimination, and cultural, religious and linguistic diversity. To that end, the College’s Governing Body will ensure that any policies and procedures introduced to comply with the PREVENT duty:

- secure and protect freedom of expression and academic freedom, recognising the primacy of these values in institutions of higher education;
- secure and protect the rights of academics, students and staff to hold, articulate and act upon their political, religious and ideological opinions at all times, within the law, and subject to their contractual agreements and terms of employment;
- respect the rights of academics, students and staff to privacy and protection of their personal data at all times, in the absence of a risk of serious crime, subject to their contractual agreements and terms of employment;
- are not discriminatory, and secure and protect the rights of all academics, students and staff to equal treatment under the law, regardless of racial or ethnic origin, or religious belief, and which are in the strictest accordance with the Equality Act 2010, including the Public Sector Equality Duty that it creates;
- are consistent with a respect for existing rights, including those arising under the Education (No 2) Act 1986, the Public Order Act 1986, the Human Rights Act 1998, the Equality Act 2010, and data protection legislation.

The College will provide appropriate training to the Governing Body and Key Individuals identified below to support them in the implementation of its PREVENT duty. That training will ensure that practice remains consistent with the principles above.

The following key Individuals nominated by Governing Body have specific responsibilities for implementing the College’s policies and procedures relating to the PREVENT duty:

The Home Bursar (Fellow and member of the Governing Body) – who, as the College’s PREVENT Lead, will oversee implementation of the College’s PREVENT policies and procedures; will oversee PREVENT-related arrangements for non-academic staff, conferences and summer schools and ensure the maintenance of continuity plans for PREVENT knowledge and experience;

The Academic Director (Fellows and members of the Governing Body) – who will advise and assist the PREVENT Lead regarding PREVENT-related arrangements for academic staff and external speakers invited by academic staff;

The IT Manager – who will advise and assist the PREVENT Lead regarding use of the College’s IT system to support PREVENT-related arrangements.
Where a member of College identifies a PREVENT-related concern in relation to another College member they will report this concern to the Home Bursar, as PREVENT Lead. The Home Bursar will act in a manner that secures and protects the existing rights of College members including, in the absence of serious crime, their rights to confidentiality and privacy; and, at all times, to equal treatment under the law.

Referral to external agencies (other than Channel – see below) will be exclusively by the Home Bursar (Prevent Lead), but only after consultation with the Master, and will only take place after consultation with the Director of Student Welfare and Support Services (Students) or the Director of Human Resources (Staff).

3 Review of the College’s PREVENT-related policies and procedures

The College’s policies and procedures relating to the PREVENT duty will be based on a risk assessment reviewed annually by the Governing Body in the light of such further guidance from HEFCE and the University as may be made available. They will also be notified annually to HEFCE.

The JCR and MCR in the development and annual review of policies and procedures relating to the PREVENT duty through the College Welfare and Equality Committee.

At the time of each annual review the Governing Body and Key Individuals shall receive refresher training on the PREVENT duty.

Compliance with the PREVENT duty will be included in the College’s risk register and reviewed annually by the Governing Body when making its annual report to HEFCE.

4 Data Sharing and Communications

Where there is a risk of people being drawn into terrorism, the College PREVENT Lead is to receive information through the University’s security service from the local PREVENT co-ordinator.

In providing this category of information the University security service will operate under protocols in a manner that secures and protects the existing rights of academics, students and staff, to confidentiality and privacy; and, at all times, to equal treatment under the law. The PREVENT Working Group will review these protocols with other colleges and the University, and update them as necessary.

Whilst the College might choose to share information with the University security services on any concerns, the decision on whether to contact law enforcement authorities will remain one for the College to take. Action will only be proposed in respect of serious terrorist criminal activity, where the College already has certain duties.

The Registrar of the University of Oxford will be the single point of referral by the Collegiate University to Channel to manage the risk of inappropriate referrals.
No referral will be made to Channel except through the Director of Student Welfare and Support Services (Students) or the Director of Human Resources (Staff) with the explicit approval of the Registrar of the University and with the consent of the Master. Further information on the University of Oxford Approach to the Prevent Duty and the Referral Process can be found here on the University website here: University of Oxford Prevent Duty

5 Student Welfare and Pastoral Care

The key Individual with responsibility for student discipline, welfare and pastoral care is the Dean. The Dean is assisted by the Junior Deans. The student support structures in College range more widely than the decanal team. The Nurse provides health and welfare support. The Academic Office provides monitoring of academic performance which not infrequently involves consideration of health and welfare issues. The Chaplain is available to speak about matters of welfare or academic life with all faiths. The Bursar and Home Bursar are involved in hardship issues, which again have a relationship with welfare concerns. The Lodge, as the first point of contact in cases of emergency also plays a role in student welfare.

Those responsible for student welfare and pastoral care shall be alive to the risk that students may be less likely to use welfare provision because they perceive it to be linked to the PREVENT duty.

Necessary training on PREVENT will be given at Welfare and Equality meetings at the start of term.

6 Staff Welfare

The key individual with responsibility for non-academic staff welfare is the Dean of Welfare, assisted by the Welfare Representatives (and Home Bursar).

The key individual with responsibility for academic staff welfare is the Academic Director, assisted by the Academic Office.

7 Events and Venue Hire

The College regulates event bookings and venue hire by students, staff and third parties under the terms of College Regulations (Part 3 and 5). The statements contained are founded on the central importance of securing the primacy of the right to freedom of expression within the College, and for external speakers, consistent with the Education (No 2) Act 1986.

Under the Statement all external speaker events organised by students have to be approved by the Dean (or their deputy). Students seeking a venue within the College are required to complete an online booking form that, inter alia, gives details of the meetings or other activity to which the booking relates. The Home Bursar is a part of the approval process and will specifically ensure that the PREVENT duty is met. In the event that an event is not approved the Dean will convene a committee of academic fellows to review the reason for any rejection and will make a report to the
Master. As part of this process, which is automatically invoked by the online system, the President of the MCR and JCR will also be notified.

Academic staff will take reasonable measures to identify any event for which they are responsible that might give rise to concerns relating to the Statement on Freedom of Speech and the College’s PREVENT duty and draw these concerns to the attention of the Home Bursar.

The contract used by the College’s Conference Office will seek from any third party hiring facilities details of the content of the meeting or other activity for which the facilities are being hired.

8  IT
The use of IT facilities at Pembroke College is governed by the policies and procedures established by the University of Oxford, which will generally be sufficient to ensure compliance with the College’s PREVENT duty. Further work is being undertaken by the University which will result in amendment to regulations which will signal to student and staff users of the University’s IT network facilities that they must not deliberately create, display, produce, store, circulate or transmit material related to terrorism or extremist ideology in any form or medium except where required for legitimate academic purposes.

9  Research
All College-only staff are covered by the University policies on research ethics, which are operated in a manner which secures and protects the existing rights of those researchers, including to equal treatment under the law, and to secure and protect academic freedom.

10  Security
The College has plans relating to physical, personnel and IT security based on those established within the University and as advised by the University security service.

11  Complaints
Complaints about the operation of policies and procedures relating to the PREVENT duty shall be made to the Master.

12  Approval
This document, and the risk assessment and action plan which underpin it, has been approved by the Governing Body of Pembroke College and, in accordance with HEFCE Circular Letter 02/2016 paragraph 7, by the Master of the College as the institution’s accountable officer.

Prevent Lead
April 2018