

COMMON ROOM BREIFINGS

CHAIRING DIFFICULT
MOTIONS



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CHAIRING DIFFICULT MOTIONS



As Chair, it is your responsibility to ensure that challenging debates can happen fairly, ensuring that all parties are heard, and that our commitment to freedom of speech is upheld. However, it is also important to recognise that Chairs also have a responsibility to ensure that those taking part in - or on the periphery of the debate - are protected from bullying, harassment and victimisation as a result of the debate and its outcome.

We recognise that this is a huge challenge and responsibility, and we provide this guide to give Chairs and others taking part in challenging debates some useful tools to draw on.



MOTIONS

Most student groups and common rooms at Oxford use a process whereby students submit motions to be voted on or discussed. A motion is normally a proposal by a member of your student group asking the group to do or say something on behalf of your members; your standing orders, bye-laws or constitutions will usually outline what needs to happen once a motion has been submitted.

However, just because a member has submitted a motion does not mean that it must be heard or discussed publicly. As Chair, you can take a moment to risk assess the motion. On the next page we provide a template risk assessment; talk to your other committee members or the governing body about what considerations you might want to include in your own risk assessment, but use it every time a motion is submitted to maintain consistency.

RISK ASSESSMENTS

Risk assessments are used to identify and mitigate any risks associated with a decision, event, or activity. As Chair you should risk assess every motion or proposal you receive. Most student groups in Oxford are what's called 'unincorporated associations'. This is important because unincorporated associations are not separate legal entities from their members (students) and officers (committee members), which means that the officers and members are personally liable for the decisions, debts and obligations of the association. This means that when you take a decision, or enter into a contract as an officer of your student group, you may be entering into that contract personally and might be at risk if someone tries to take legal action against the student group.

For the most part, student groups at Oxford do not see themselves as charitable organisations, and are rarely registered as charities, but the charitable framework is useful in relation to decision-making of this sort and may help protect officers and members from putting themselves at unnecessary risk.


In order to risk assess the motion, you first need to understand the context that you are operating in. Take a moment to read your constitution or governing document to find out the answer to the following questions:

- What are the 'purposes' or 'objects' or 'aims' of your student group?
- What 'powers' do we have (i.e. what are we allowed to do)?
- How does your governing document say you should be making decisions?

Once you have this information, you can use it as the first stage in any risk assessment you do now and in the future, so keep a note of the answers somewhere. Next take a look at the content of the motion or request - what outcome is the motion asking for? Is the outcome something that you are allowed to do within the powers of the organisation? Does the content of the motion relate to the organisation's purpose?


The key question is normally whether the issue affects students – this is sometimes known as the 'students as students' test. An example might be a motion requesting that the student group express solidarity with a group of striking miners in Sweden. Whilst it's likely that students, as members of civil society, may want to express solidarity, it's unlikely that your organisation will be able to explain how a miners strike in another country has an impact on students as students.

If the answer to either of those questions is negative, then taking the motion forward would be ultra vires – outside of the powers of your organisation. At this stage you should go back to the proposer and explain.



If the answer is positive, then below are some further considerations you can make:

- Are there are financial implications to this motion that we need to consider?
- Are there are reputational risks associated with either discussing or implementing this motion? How can we mitigate those risks?
- Are there any legal risks associated with either discussing or implementing this motion? Do we have the right level of knowledge/expertise to assess this risk? If not, where can we access this support from?
- Does the motion ask the organisation to do something which might contravene our (or the University's) responsibilities in relation to the Equality Act 2010, employment rights, or the Freedom of Speech Act 2023 (or other legislation)?
- Are there any health and safety risks associated with either discussing or implementing this motion? How can those be mitigated?
- Are there any equality, diversity or inclusion risks associated with either discussion or implementing this motion?
- Does this policy contravene or ask the group to contravene an existing policy?
- If you are a charity (either exempt or registered) you should also ask whether the policy is requiring you to put funds (including any ancillary resources) towards party political campaigning, as this is ultra vires for all charities



If you're satisfied that all of the risks have been considered and mitigated, you can take it forward to a meeting to be debated. If you are concerned about any of the above, you should seek advice from the SU, the Proctor's Office (for Societies) or your Governing Body (for Common Rooms).

TEMPLATE RISK ASSESSMENT

1	Does the motion relate to the student groups' purpose and objectives?	YesNo	Detail here any amendments which could be made to the proposal that would align it more closely.
2	Does your student group have the 'powers' to do the things that the motion is asking you to do?	YesNo	Detail here any amendments which could be made to the proposal that would align it more closely.
3	Does your student group have a mechanism for debating and agreeing this motion or proposal?	YesNo	Detail here any procedures you can use, or any amendments or approaches you could use, to make sure that the motion can be heard or decided upon.
4	Are there are financial implications to this motion that we need to consider?	YesNo	What are the financial implications? Can the same aim be achieved without the financial implications?
5	Are there reputational risks associated with either discussing or implementing this motion? How can we mitigate those risks?	YesNo	These might include student or local/national media coverage, or reputational risks which impact your relationship with students/College/University.
6	Are there any legal risks associated with either discussing or implementing this motion? Do we have the right level of knowledge/expertise to assess this risk? If not, where can we access this support from?	YesNo	You are not expected to be lawyers, so always seek advice from the SU, Governing Body, or others if you are unsure.
7	Does the motion ask the organisation to do something which might contravene our (or the University's) responsibilities in relation to the Equality Act 2010, employment rights, or the Freedom of Speech Act 2023 (or other legislation)?	Yes No	The University and Colleges each have their own freedom of speech policies, please refer to them before deciding.

8	Are there any health and safety risks associated with either discussing or implementing this motion? How can those be mitigated?	Yes No	Does enacting the motion put anyone at risk of harm?
9	Are there any equality, diversity or inclusion risks associated with either discussion or implementing this motion?	Yes No	Your group is probably made up of a richly diverse student population. Consider how inclusive both debating and/or passing the motion may be.
10	Does this policy contravene or ask the group to contravene an existing policy?	Yes No	Make a list of any existing policies which may relate to, or be affected by, this new policy.
11	In the case of charities – does the policy ask you to take part in party political activity?	Yes No	Is there a way to amend the motion so that it focuses on the policy in question, rather than a political party?

MANAGING THE IMPACT

It is likely that, for particularly controversial or emotive motions, all risks will not be able to be mitigated through this process. If you are still unsure about a motion, or feel that it needs substantial work before it can be discussed or debated, call a conversation with the proposer.

Some useful things you might want to discuss with them:

- What is the desired impact of this motion?
- Can we achieve that impact in a different way?
- Is there a more mindful or considerate way that we can word the motion that will help mitigate some of the risks outlined?
- Could we discuss the motion or the desired outcomes with some relevant student representatives?

It may be that the proposer is happy to seek alternative routes to achieve their goal, or it might be that they feel strongly that the motion should be considered..


As Chair you have a number of options available to you to negotiate an outcome which works for everyone. Remember, there may be cases whereby you are personally liable for the outcome of the discussion or debate so do not proceed if you are not satisfied that the risks have been appropriately mitigated, and seek advice from the SU or your governing body/the Proctor's office.

Another useful practice when dealing with sensitive motions is by privately consulting parties that may be affected before the issue becomes public – relevant stakeholders may include appropriate committee members, common room members who are particularly impacted, student societies or groups who have a stake in the subject of the motion, or college office holders who might be needed to help – such as welfare, EDI, or governance officers. The SU is always available for the appropriate advice and signposting if you find you need it.

SETTING THE TONE

If you have decided to proceed with the motion, but it still contains some controversial topics, it might be useful to set the tone of the debate, and outline some ground rules. Some helpful aspects to consider as part of this might be:


- Publish the agenda and motions in advance, so that those with a connection to the subject matter have time to prepare and decide whether they want to take part.
- Determine in advance how long each person has to speak.
- Decide whether participants should directly address each other or whether any challenge should be set through the Chair.
- Decide in advance whether your vote will happen publicly, in person, or whether an online confidential vote should happen outside of the meeting.

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- If the motion mandates the publication of the statement, decide how that statement would be written; one possible practice is for the motion to set up a working group of all interested students to work on the wording, which is then confirmed by a second vote – in this way dialogue over the motion can be more practical and inclusive.
 - It might help to protect participants from external risks if you set some ground rules regarding what can be posted on social media, and whether the debate should be confidential and restricted to members only through ticketing.
 - Remind participants about your group's rules on bullying, harassment and victimisation, and that action can and will be taken against those who do not maintain an inclusive debate.
 - Remind participants about your group's commitment to freedom of speech or expression, and how you intend to go about ensuring that it is upheld during the debate.
 - Remind participants that debates are about listening as well as persuading others of your perspective, and that it is ok to change your mind or compromise.

UCL have some excellent tools available on YouTube from their 'Disagreeing Well' programme which might equip you with some useful language for setting the tone.

IMPARTIAL CHAIRING

It is important that your debate is well-structured and that people on all sides of the debate are given a fair opportunity to have their perspective heard. Some useful tips for remaining impartial as a Chair to consider:

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- Outline in advance of the debate the implications of the motion passing or failing.
 - Ensure that everyone knows and understands the process.
 - Remember your role is to facilitate the debate and arrive at a conclusion, not to give your opinion or views on the matter. If you don't feel able to do that, you should declare an interest and seek out an alternative Chair.

- Once the allotted time for each speaker, or for the debate, has passed, draw the debate to a close and, where applicable, move to a vote. Do not allow one side of the debate more floor-time than others as this will give the perspective of partiality.

INTERRUPT & DISRUPT

As Chair, you can intervene if participants stray from the issues being debated or start making judgements or comments about people. Knowing that there are others in the room that will ensure that a debate or conversation will be structured, facilitated, and managed gives students the necessary psychological safety to be able to disagree well and without causing harm to others.

If you don't feel confident to disrupt bullying, harassment or victimisation you should seek out an alternative Chair or seek support from the Students' Union or your Governing Body.

Below are some tips on preparing to interrupt and disrupt inappropriate participation:

- Practice interrupting and challenging problematic sentiments as and when they happen in relation to any form of harassment, discrimination or other types of hate speech.
- Develop a set of phrases which can help you to interrupt inappropriate conversations including phrases such as: "I'm going to ask you to stop there please" or "I need to push back on/challenge something you just said" or "please can I ask you to rephrase that comment".
- If you don't feel comfortable disrupting in the moment, practice challenging or giving feedback in more private settings. Please do not put yourself in danger and if you do not feel comfortable challenging someone yourself then speak to someone else for support in doing so.

- If someone has challenged you, listen, consider the challenge, and take responsibility for your actions and the impact of your actions. University is about learning, being challenged and broadening your perspective – you are allowed to make mistakes; its how you respond that matters most.

FOLLOWING UP

If the motion has asked you to do something, ensure that you have a plan for following this up. It might be that you want to work with the proposers to deliver the outcome, or it might be that you need to take something forward on their behalf. Add an update to the following meeting's agenda to ensure that you are closing the loop.

If the motion relates to the University or something that the SU can take forward with you, then get in touch with one of the sabbatical officers who can help you. In particular, if you think that its an issue which would impact other colleges, let us know and we can see how we can support you.

FURTHER SUPPORT

You may have to follow up with certain participants after the debate- either to check in on their wellbeing, or to remind them of the rules of your student group. It is helpful if you are able to signpost others to support within the University or Colleges, or to SU Advice as appropriate.

If you aren't sure who to speak to, just get in touch with someone in the SU and we can support you.



contact us:
studentengagement@oxfordsu.ox.ac.uk