The Oxford University LGBTQ+ Society recommends this document as an example dossier to argue for the flying of the LGBTQ+ flag in college.

You can adapt it to improve relevance to your specific community.

If you would like any help with this, or introducing other motions, please don’t hesitate to get in contact with the LGBTQ+ Society or Campaign.

The President of the Society can be reached at ouprez@gmail.com
The Chairs of the Campaign can be reached at lgbtq-chair@oxfordsu.ox.ac.uk
Proposals for Changes to Oriel College’s Policy on Flags

Paper written by Alex Waygood, with contributions from Joey Dunlop, Teofil Camarasu, Eoin Monaghan, Helen Goldsbrough and the 2013 Oxford University LGBTQ+ Society Committee.

Paper proposed by Alex Waygood and JCR President Sebastien Santhiapillai.

Contents of the paper endorsed by Oriel JCR during a JCR Open Meeting on 12/11/2017. Motion was passed with only two votes against.

Paper also endorsed by Carrie Ryan (Equality Dean), Duncan Hosie (MCR LGBTQ+ Representative), Helen Goldsbrough (JCR LGBTQ+ Officer) and Teofil Camarasu (JCR Equalities Officer).
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## Endnotes

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Note on Terminology and Footnotes

This paper often uses the acronym LGBTQ+, which acts as an umbrella term to describe various gender and sexual minorities. Individually, the letters stand for Lesbian, Gay, Bisexual, Transgender and Queer/Questioning. The + is intended to represent all those who feel themselves to be not entirely heterosexual and/or not entirely cisgendered, but do not feel that they fit perfectly into any of the above categories. This paper also intermittently uses shortened versions of this acronym such as LGB, in cases where only some of the above groups are being referred to.

Footnotes at the bottom of the page, providing additional commentary on the body of the paper, use Arabic numerals throughout. Endnotes, giving references or providing clarification, use Roman numerals throughout.

Introduction and Context

Oriel’s flag policies - both regarding the official college flagpoles and regarding flags from student windows - have been a recurring source of friction between the student body and the Governing Body for several years now.

The main disagreements over flag policy (from the flagpole and from student windows) in recent years has been over the flying of the LGBTQ+ flag. Following a Michaelmas 2013 paper presented to the Governing Body by then JCR LGBTQ+ Representative Joey Dunlop, Oriel currently flies the LGBTQ+ flag from the official flagpole on three days every year: on February 1st, to mark the start of LGBT History month; February 28th, to mark the end of LGBT History month; and May 17th, the International Day Against Homophobia, Biphobia and Transphobia. This is extremely welcome.

However, this paper argues that Oriel should not be content simply because it has made gestures in this vein in the past. We believe that Oriel can and should do better. We believe that there are strong arguments for flying the flag for longer periods of time during LGBT History Month.

Oriel’s longtime policy has also been to forbid the flying of any flags from student windows. This policy clearly has several good reasons behind it. Yet this policy has the impact - unpopular among the student body - of preventing students from flying the LGBTQ+ flag in solidarity during LGBT History month.

This paper aims to put forward several proposals that might put these issues to rest, by creating a solution acceptable to both sides of the debate.
Summary of Arguments

In summary, our arguments are as follows:

1. **Oriel should make its policies both more accessible and clearer.**

   Oriel’s policies on flags - both regarding the official flagpole and student windows - are currently inaccessible and unclear. This has caused several problems over recent years.

   Making policy clearer and more accessible will greatly aid the discussion around it. It will also help students follow these policies. It will also benefit Oriel as an institution.

2. **Oriel could be taking a much more proactive approach towards equality.**

   Oriel’s Equal Opportunities Policy (see Appendix 3) commits the college to a ‘proactive’ approach towards equality. This is important for several reasons. Yet Oriel’s current approach could be characterised as more reactive than proactive.

   Flags have great symbolic power, and so the flying of flags that represent underprivileged groups in society can have a huge impact on the welfare of such groups. Where a strong case can be made for a specific flag, a greater use of flag-flying to support equality-related causes could be an easy way to move towards a more proactive approach towards equality. It would also offer benefits to Oriel as an institution.

   Regarding the LGBTQ+ flag specifically, Oriel already flies the flag on three days over the year. However, we argue that it can and should do more. There is an unusually strong case for the LGBTQ+ flag due to the specific nature of the flag. Flying the flag more would have negligible negative impact on any other communities in Oriel.

   We argue that there is minimal risk of a situation where Oriel is flying flags all year round.

3. **A compromise on flags from student windows.**

   The current ban on flags from student windows is reasonable. However, many students would like to express solidarity with LGBTQ+ students during LGBT History Month. We feel that this is a noble desire, and that Oriel should support free speech where possible.

   To the general ban, we propose an exception for any flags currently being flown from the official Oriel flagpoles. A divisive or controversial flag would not conceivably be flown from an Oriel flagpole. Moreover, flying a flag from an Oriel flagpole implies at least some level of endorsement by Oriel of the things that the flag symbolises. Thus, it seems implausible that this change would allow students to fly flags at odds with Oriel’s policies or culture.

   We argue that Oriel would continue to have an attractive appearance. Some students have windows above shops: we argue that this does not infringe the leases for these premises.
Summary of Proposals

As a result of these arguments, we propose three broad changes to Oriel’s policies on flags:

1. Increased accessibility and clarification of Oriel’s Flag Policies:

   a. Accessibility:
   
   We propose that Oriel’s policy on flags from official Oriel flagpoles (see Appendix 1) should be made accessible to the student body. Namely:

   i. The policy should be published on the Freedom Of Information (FOI) section of Oriel’s website.
   ii. The Student Handbook should either contain the policy in full or clearly refer to where this policy can be found elsewhere.
   iii. A notice in the lodge should be put up whenever a flag is flown from an Oriel flagpole. This should indicate the reason why the flag is being flown and (if appropriate) the symbolism behind the flag in question.

   b. Clarification:
   
   We propose that Oriel’s flag policies - both regarding flags from official Oriel flagpoles, and regarding flags flown from student windows - should be clarified. We propose that they articulate reasons, objectives and process. Namely:

   i. Oriel’s policy on flags from official Oriel flagpoles (see Appendix 1) should:

       1. Clearly indicate the reasons why each flag is flown and (if appropriate) the symbolism behind each flag.
       2. Make clear the process required for a new flag to be considered by the Governing Body to be flown from an Oriel flagpole.
       3. Clearly articulate criteria which a flag must meet for it to be considered by the Governing Body to be flown from an Oriel flagpole.

   ii. Oriel’s policy on flags from student windows (see Appendix 2) should clearly articulate all reasons why any restrictions on flags from windows are in place.
2. Reform of Oriel’s policy on flags from Oriel flagpoles

We propose that Oriel’s policy on the flying of flags from the official flagpoles (Appendix 1) be reformed pursuant to Oriel’s Equal Opportunities Policy (Appendix 3). Namely:

   a. The policy should, in a similar way to Exeter College’s current policy (see Appendix 4), clearly state an openness to flying flags for equality-related causes. This could be conditional on the proposed flag meeting certain strict criteria clearly laid out in the policy (as per Proposal 1.b.i.3).

   b. The policy should specify that Oriel normally fly the LGBTQ+ flag for the entirety of February, excepting those days on which the House Flag is already specified to be flown in the existing policy (see Appendix 1).

3. Reform of Oriel’s policy on flags from student windows

We propose that students be permitted wherever possible to fly from student windows any flag being currently flown from the official Oriel flagpole. (This could possibly be subject to certain other regulations regarding flag size, shape, material, etc.)

Each of these proposals is explored in detail below.
Proposal 1: Accessing and Clarifying Oriel’s Flag Policies

Much of the recurrent friction between the Governing Body and the student body regarding flag policy can be remedied fairly easily. One of the biggest issues has been that most students are currently unaware of precisely what the current Oriel flag policies are. Proposal 1 outlines steps the Governing Body could take to improve this situation.

Accessibility of Policy

The current inaccessibility of policy has created issues regarding the flagpole policy (Appendix 1). As JCR LGBTQ+ Officer from Trinity 2016 to Hilary 2017, I was unaware which days exactly Oriel flew the LGBTQ+ flag from the flagpole. When I did enquire at the lodge, the porters did not know why the flag was being flown on any specific day. The policy was not at the time locatable in any publicly available document. Since the flying of flags is a deeply symbolic action, we argue that it is in Oriel’s interests for the flying of flags from the flagpole not to be misinterpreted. Thus, it would be to Oriel’s great benefit to have this policy more publicly available.

Inaccessibility of policy has also created issues regarding the policy on flags from student windows. As JCR LGBTQ+ Officer, I was also unaware of any regulations regarding flags from student windows. It was a surprise when, on 22/02/2017, an email was sent from the decanal team informing the student body that ‘long-standing policy’ meant that the flying of flags from student rooms was forbidden (see Appendix 8). This email came at a time when many students were flying LGBTQ+ flags from their window to show solidarity during LGBT History Month. The student body at large seemed unaware of this policy: the JCR welfare officers, the JCR president and I all received a large number of messages from members of the JCR confused and distressed by this (apparently sudden) announcement of policy by the decanal team. The policy was not at the time locatable in any publicly available document.

We argue that increasing the accessibility of flag policies would greatly aid the discussion around them. It would also make it easier for students to be aware of and follow existing policies. The 2017-18 Student Handbook now includes the policy on flags from Student Windows (see Appendix 2); we see no particular reason that it should not also include the policy on flags from the flagpole (see Appendix 1)\textsuperscript{1}. (The Handbook constitutes a collection of wide-ranging Oriel policies of which all students are aware and to which all students have access.) However, we would be content if the Handbook simply referred to where Oriel’s policy on flags from the flagpole could be found\textsuperscript{2}.

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\textsuperscript{1} Flagpole policy is included in the Student Handbook by colleges such as Worcester. (See http://www.worc.ox.ac.uk/sites/default/files/files/page/student_handbook_2017.pdf as of 08/01/2018. Section 17, ‘GUIDANCE AND PROCEDURES FOR FLYING FLAGS AT WORCESTER COLLEGE’.)

\textsuperscript{2} This is a point that could be extended to other policies not under discussion in this paper: other policies that could perhaps be communicated more clearly to the student body include Oriel’s Equal Opportunities Policy. This is published online in the ‘Freedom of Information’ section of Oriel’s website. However, no reference is made to the policy or the Equality Committee in the Student Handbook. Colleges such as Merton include their equivalent policies in full in their Student Handbooks. (See https://www.merton.ox.ac.uk/sites/merton.ox.ac.uk/files/attachments/College-Handbook-2017-18.pdf, as of 08/01/2018, Appendix 9, p. 143.)
Meanwhile, we also think it would be appropriate for Oriel’s policy on flags from the flagpole to be included in the FOI section of Oriel’s website. Lastly, we advocate a notice being put up in the lodge whenever a flag is flown from an Oriel flagpole. This should explain, in our opinion, the reason why the flag is being flown and (if appropriate) the symbolism behind the flag in question.

Our points on accessibility of policy are in the spirit of the Freedom of Information Act 2000. The Information Commissioner's Office’s ‘Definition Document’ for Higher Education Institutions (HEI) states that the Freedom of Information Act 2000 should normally be interpreted to cover ‘minutes of formal meetings where key decisions are made about the operation of the HEI’ and ‘Codes of practice, memoranda of understanding, procedural rules and similar information’ (See Appendix 9).

Clarification of Policy

We also argue that Oriel’s policy - both on flags from the flagpole and the policy on flags from student windows - could be clarified to improve understanding of the reasoning behind them. Oriel’s policy on flags from the flagpole (see Appendix 1) does little to explain the logic behind the policy laid out. We argue that greater clarity here would improve comprehension of the policy among students. It would moreover clarify the intended symbolism of Oriel’s flag-flying. Accordingly, we feel that the policy should be clarified to clearly indicate the reasons why each flag is flown and (if appropriate) the symbolism behind each flag. Moreover, we argue that the policy should clearly set out the process required for a new flag to be considered by the Governing Body to be flown from an Oriel flagpole. Lastly, we advocate that the policy clearly articulate the criteria which a flag must meet for it to be considered by the Governing Body to be flown from an official Oriel flagpole.

Oriel’s policy on flags from student windows (see Appendix 2) is similarly unclear. The confusion and distress among the student body during LGBT History Month last year was greatly compounded by the unclear reasoning behind the policy. (The reasoning was not explained in the decanal email [Appendix 8]. The policy was not at the time available in any publicly available location.) The current policy in the Handbook groups flags with political posters. This implies that the flag ban stems from a general principle regarding political material. (We concede that this is reasonable. Allowing any political material to be displayed around college would have clear potential to sow division and discord between students. This would create an extremely unpleasant atmosphere.) However, it is nowhere definitively stated that this is the reason behind the policy. Moreover, the implied policy as it stands appears to present an odd loophole: the flying of flags and/or political symbols is apparently permitted from inside windows. This means that students could potentially project political symbols into public spaces just as (or at least nearly as) effectively without breaking regulations. Such a loophole undermines the argument that the policy is there to prevent the projection of political symbols into public areas of the college. If there are any other arguments for the ban on flags from student windows, we argue that these should also be clearly outlined in the Student Handbook.

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3 Colleges such as Exeter currently have similar policies in place regarding this last point - see Appendix 4.
Proposal 2: Reforming the Policy on Flags from the Flagpole

Proposal 2 outlines possible reform of Oriel’s policy on flags from the flagpole to create a policy that actively works towards goals stated in Oriel’s Equal Opportunities Policy. The Equal Opportunities Policy (Appendix 3) contains a strong commitment to create an ‘inclusive environment’ in which Oriel is ‘proactive in encouraging equality of opportunity and respect for diversity’.

A Proactive Approach to Equality

Proactivity is defined as taking action before remedial action is required. A proactive approach to equality, to which Oriel commits itself in its Equal Opportunities Policy, would look to create an environment wherein equality-related incidents occur as little as possible. Rather than solely acting in response to complaints, it would be an approach that anticipated - an approach that also took significant action to ensure so that complaints do not need to be made in the first place.

We argue that a proactive approach is necessary when it comes to equality. The societal status quo means that members of disadvantaged groups often suffer from a host of small grievances on a regular basis that add up to have a significant impact on their lives. For example, studies have shown that, even in companies where diversity is valued and actively targeted, large proportions of women and minority-group workers still often feel the need to ‘cover’ - conceal a part of their identity to their colleagues on a regular basis. Issues such as these rarely trigger direct complaints, yet are nonetheless widespread. We argue that a reactive approach to equality could never hope to adequately tackle a problem such as this. A proactive approach, however, could.

We feel that failing to take proactive action is an implicit endorsement of the status quo. To achieve true equality, Oriel must acknowledge that the status quo causes some students to start out on an unequal footing. Oriel cannot be content to deal with issues as and when they arise. It must be loud and vocal if it is to meaningfully support equality.

Insofar as proactivity can be measured, we argue that Oriel lags. Colleges such as Lincoln and Pembroke have implicit bias training for all student-facing staff. Christ Church’s Access Department is currently working with their JCR LGBTQ+ officer to create an action plan on improving access and outreach to LGBTQ+ secondary school students. Colleges such as Wadham and St Peter’s have dedicated fellows for equality and diversity, and equality committees that are much more active than Oriel’s. And Oriel’s Equal Opportunities Policy is extraordinarily vague when contrasted with those of many other colleges - a four-page statement that details aspiration rather than actionable goals. Wadham, for example, provides a 16-page Equalities Policy that goes into depth about each protected group, coupled with a seven-page action plan regarding the specific implementation of its Equalities Policy in 2017-18.

The Symbolism of Flags

This paper is not aimed at reforming Oriel’s broader approach towards equality or its Equal Opportunities Policy. Nor are we suggesting that reform of flag policy has the potential to solve all issues around equality in Oriel.
However, the flying of a flag is always deeply symbolic, and often conveys a strong message regarding power and status. We argue that the flying of flags representing underprivileged groups in society can have a huge impact on the welfare of such groups. The flying of such flags can boost the perceived power and status of such underprivileged groups to a level where they become more equal. It can show respect and appreciation for the members of such groups, while also amplifying their voices and concerns. It can show solidarity with members of such groups, and increase visibility and awareness of issues of inequality surrounding such groups. The proposals we suggest would be an excellent example of a broader approach towards equality that was proactive rather than reactive. We argue that they constitute relatively easy, cost-free ways for Oriel to achieve substantial progress in this area.

Moreover, the flying of such flags has clear benefits for Oriel as an institution as well for Oriel’s members. Whether fairly or unfairly, Oriel is sometimes painted by others as a college where minorities are less welcome than at other colleges. Actions such as our proposals can play a crucial part in combatting this image.

**Our Recommendations on Reforming Oriel’s Flag Policy**

We advocate two changes to Oriel’s flag policy. One of these is broad reform of Oriel’s flag policy so that it states a general openness to flying flags for equality-related causes. We advocate that Oriel’s reformed flag policy clearly lay out the criteria a flag would have to meet for the Governing Body agree to fly it from an Oriel flagpole, as per Proposal 1.b.i.3. We argue that these grounds should be linked explicitly to goals outlined in the Equal Opportunities Policy (Appendix 3). We would take as our model Exeter College’s current policy (Appendix 4). Lastly, we advocate that, as per Proposal 1.b.i.2, the reformed policy clearly lay out the process required for a new flag to be approved.

As well as this general rule, this paper also recommends a specific course of action. We feel that the flying of the LGBTQ+ flag throughout the whole of February (excepting those days on which a separate flag is already specified to be flown for a different reason) would have potential to have a large, positive impact on both the LGBTQ+ community and Oriel. As Oriel JCR noted nearly unanimously in February 2017 in a JCR meeting, and reaffirmed in November by endorsing this paper, the proliferation of rainbow flags over Oxford has a hugely beneficial effect in increasing awareness of LGBT History Month. (LGBT History Month is a month-long remembrance of LGBTQ+ history in February. It provides crucial support towards raising awareness both of historical discrimination against the community and of injustices that continue into the present day.)

**The LGBTQ+ Community: An Example of Inequality**

Life for young LGBTQ+ people can often be uneasy. A 2015 report by the charity PACE showed that suicide rates for LGBT+ young people in the UK are far higher than for non-LGBT young people - 48% of transgender young people and 34% of LGB young people have attempted to take their own life at least once. A 2013 Stonewall report, meanwhile, found that 26% of LGB people in the UK felt the need to alter their behaviour to avoid being the victim of a hate crime (31% - nearly one in three - among gay and bisexual men specifically).  

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(4) The acronym used by PACE in their report.)
Meanwhile, Oxford University and Oriel College specifically are both historic institutions steeped in tradition. As such, they can be intimidating places for LGBTQ+ people in many ways, particularly for those who feel uncomfortable in their sexual or gender identities. (Since university is a formative time for many LGBTQ+ people, many LGBTQ+ students will not yet be entirely comfortable in their identities.) A 2017 investigation by the student newspaper *The Oxford Student* provides at least anecdotal evidence that LGBTQ+ discrimination and discomfort are serious problems for Oxford\(\text{vii}\). Meanwhile, responses from an LGBTQ+ survey taken of Oriel students in 2014 (organised by the then JCR LGBTQ+ Representative) included responses such as: ‘not welcoming enough’; ‘[there is] no outright prejudice, but assumptions [are] made’; ‘the University and College don’t particularly go out of their way to embrace LGBT students and their needs’\(\text{viii}\).

By flying the LGBTQ+ flag from the college flagpole, colleges make a bold statement. A 2017 Stonewall report found that 45% of LGBT pupils - and 64% of transgender pupils - experience homophobic bullying at school; 52% of LGBT pupils (and 68% of transgender pupils) who experience homophobic bullying say that it negatively affects their education plans\(\text{x}\). For prospective LGBTQ+ students, flying the flag signifies that a college is welcoming and accepting. It is also simply a statement of recognition of a minority that is often invisible.

Given the huge presence of international students, especially at the graduate level, such a statement will be particularly appreciated by LGBTQ+ students from countries where LGBTQ+ discrimination is still common. 72 countries still criminalise same-sex relationships\(\text{x}\); eight countries currently have laws under which homosexuality may be punishable by death\(\text{xi}\); 36 out of the 54 Commonwealth Nations, from where there has traditionally been a great number of Oxford students, still criminalise LGBT identity in some way\(\text{xii}\). Sexuality and gender identity are universal attributes, which respect no national ethnic or religious boundaries. The LGBTQ+ flag is a token of that truth.

*The Broader Meaning of the LGBTQ+ Flag*

We feel that the LGBTQ+ flag sends a broader message, moreover, than one specifically related to LGBTQ+ issues. The first rainbow flag, designed by Gilbert Baker in 1978, was intended to represent a different quality of life with each colour\(\text{xiii}\). It has come to be seen as a universal celebration of diversity and difference. We argue that, as well as sending a message specifically to LGBTQ+ students, the flying of the rainbow flag also sends a broader signal of general welcome to students from all backgrounds.

We argue, with many in the LGBTQ+ community, that the LGBTQ+ flag is fundamentally a symbol of identity - not politics. While, as with any other symbol, it can be (and has been) used for political purposes, it does not necessarily represent any partisan agenda such as LGBTQ+ civil rights. It does not even necessarily imply an endorsement of any particular narrative regarding sexuality or gender. The only political statements Oriel *necessarily* makes by flying the flag are a recognition of the existence of LGBTQ+ people; an acceptance of LGBTQ+ people for who they are; and a message of welcome to all. These messages are already directly enshrined in the Equality Act 2010 and Oriel’s Equal Opportunities Policy (Appendix 3). As such, we argue that there is limited (at best) potential for harm to other communities in Oriel who might disagree with some aspects of the global campaign for LGBTQ+ civil rights.

Oriel should clearly only make a change if it is the right thing to do, regardless of what other colleges have done. As such, we hope our prior arguments are sufficient. However, it should be stated that
we believe that the disparity between Oriel and other nearby colleges on this issue has potential to cast Oriel in an extremely bad light. We see this as conflicting with the stated aim in Oriel’s Equal Opportunities Policy to work to remove ‘any barriers which might deter people of the highest ability from applying to the College, either as Fellows, staff or students’. Oriel currently stands out as the only college out of the five on Merton Street that does not fly the flag for the whole month, and is also unusual compared to other High Street colleges (see Appendix 5). Flying the flag for the whole month, meanwhile, would send a clear message from Oriel that it celebrates and prizes diversity at a time when it is seen (fairly or unfairly) as one of the less progressive colleges in Oxford.

‘Flag Contagion’ Is Unlikely

Neither a general openness to the flying of equality-related flags, nor the flying of the LGBTQ+ flag for a whole month, need necessarily ‘open the floodgates’ to a large number of requests from other minority groups for their flag to be flown from the flagpole. Colleges such as Exeter, which have policies that theoretically open the door to a large number of equality-related flags being flown, have notably not seen this happen over the past few years. Neither has this generally happened with other institutions, both in and out of education, that have started flying the LGBTQ+ flag on a regular basis (see Appendix 7). We argue that, while the establishment of a general rule is important, the case for the LGBTQ+ flag is perhaps unusually strong.

Ultimately, the decision made by the Governing Body on whether a minority group should have a flag flown from the flagpole at a certain time will always be a subjective and holistic decision. But Oriel should not veer away from making such decisions simply because they would be difficult - there are clear ways by which the relative merits of a case could be determined. These include current levels of discrimination toward the group in question; the visibility of the group; the history of discrimination towards the group; current issues of awareness around the group’s struggle and its history; the benefits that the group would stand to reap from the flag being flown from the flagpole; and specifically, the history of the group as it relates to Oxford and indeed Oriel. We propose that a list of criteria - either these, or ones like these - be set out clearly in Oriel’s flag policy.
Proposal 3: Reforming the Policy on Flags Flown from Student Windows

Our Argument

Section 10.14 of Oriel’s Student Handbook (Appendix 2) now states that the ‘display of flags and/or political posters in public areas of College is not permitted’ and that the ‘display of flags or posters outside individual rooms, including windows, is also not permitted’. As stated earlier, there are clearly good reasons behind this. Allowing any political material to be displayed around college would have clear potential to sow division and discord between students, creating an unpleasant atmosphere. This is not just a theoretical possibility, but has happened in the past - a notable example was when the Russian flag was flown from a student window in 2014 shortly following the annexation of Crimea by Russia.

However, large numbers of Oriel students would greatly appreciate the ability to fly the LGBTQ+ flag from their windows in solidarity during LGBT History Month. We feel that this is something that Oriel should instinctively support. We also feel that there is a clear difference in the divisiveness of the LGBTQ+ flag compared, for example, with the example mentioned above. (As stated above, many in the LGBTQ+ community argue that the LGBTQ+ flag is a not political statement at all.)

We moreover feel that, from a general perspective, Oriel should aim as much as possible to protect students’ abilities to express themselves freely. One of the primary purposes of an academic establishment is to foster the free exchange of ideas. Where there is no adverse impact on the welfare of students, we contend that this should outweigh most other concerns. We would consider the use of student windows for the flying of flags as part of Oriel’s moral obligation to protect free expression by students.

Our Proposals for Reform

We propose that Oriel permit the flying of flags from student windows if (and only if) the flag in question is currently being flown from the official flagpole. This exception would allow students to show solidarity with underprivileged groups on questions of equality. It would not allow them to make any political statements through the flying of flags that might be considered divisive or controversial. (A divisive or controversial flag would not conceivably be permitted to be flown from the official flagpole. Moreover, flying a flag from the official flagpole implies at least some level of endorsement by Oriel of the things that the flag symbolises. Thus, it seems implausible that this rule change would allow students to fly any flag at odds with Oriel’s policies or culture.) It would also allow students to show solidarity with other causes - such as, for example, the boat club during Summer VIIIs.

We maintain that Oriel would continue to have a smart appearance if it allowed flags to be flown from student windows. We argue that many shoppers or Oriel visitors would be attracted to somewhere that, by permitting the display of equality flags, would be boldly stating its diversity and inclusiveness. Our proposed stipulation of only allowing flags currently being flown from the flagpole would ensure a coherency of symbolism across the college rather than the cacophony of conflicting symbols that could conceivably otherwise arise. Moreover, the Governing Body could (if it felt it necessary) produce a set of regulations regarding the acceptable size, shape and material of flags. Ideas around neatness and smartness are far from absolute, regardless.
Some students have windows above shops that rent Oriel-owned premises on the High Street. This change in policy is in accordance, in our opinion, with all conditions set out in the contracts for these premises. While the shops have a legal right to the ‘quiet enjoyment’ of their premises, this clause is generally interpreted by courts to refer to serious incidents of landlords hassling tenants. This could include the failure to provide heating or hot water, but does not usually cover minor and/or temporary things. It should also be noted that most Oriel students have windows facing into college, rather than out onto the High Street. For most student windows, this is not an issue.

While Oriel should clearly only make this change if it the right thing to do, it is not the first to have policy along these lines (see Appendix 6). Multiple colleges allow the flying of any flags from student rooms. Several (including some that do not fly the LGBTQ+ flag from the official flagpole) have general bans on flags, yet make a specific exception for the LGBTQ+ flag during LGBT History month. Such policies have in recent years been extremely popular - in Christ Church, the flying of the LGBTQ+ flag from student windows in Peckwater Quad was almost ubiquitous during February 2017. (The lack of significant issues in these colleges reinforces our argument that the LGBTQ+ flag has extremely limited potential to divide communities in the context of an Oxford college.)

Conclusions

These proposals, taken together, represent a significant change from current Oriel flag policies. But without change, we cannot have progress. Traditions cannot be treated uncritically, or the result is stagnation - we must constantly examine and re-examine the value of our traditions and whether they continue to have value. These proposals may represent a significant change, but we question whether there is any potential for Oriel (or anybody within Oriel) to be significantly damaged or hurt in any way by these changes. There is, however, potential for significant gain from them. The example of various other colleges, outlined in the appendices, shows that Oriel would not be the first to take many of these steps. Yet with these changes taken together, Oriel nonetheless has a chance to lead the way here.

We hope you will consider these proposals, and look forward to hearing from you.
Appendices

Appendix 1: Current Oriel Policy on Flags Flown from Oriel Flagpoles

Flag Flying Policy

The College now has two flag poles: the College flagpole over the main gate and the High Street flagpole.

A schedule of regular flag flying days for the College flagpole is attached. The House Flag should be flown on all of these occasions.

The House Flag should also be flown from the High Street pole, on the occasions suggested on the attached schedule.

Flying Other Flags

No other flags should be flown without the authority of the Governing Body. At present two other flags are authorised: the Union Flag and the Rainbow Flag.

The Rainbow Flag may be flown at the beginning and end of LGBTQ History Month in February, and on the 17th May 2017, International Day against Homophobia, Transphobia and Biphobia.

Flying Flags on Other Occasions

Authority to fly the House Flag to mark the death of a significant member of the College community should rest with the Provost who should normally consult the Treasurer and Vice-Provost. In the Provost’s absence the Treasurer or Vice-Provost may decide.

Authority to fly the House Flag or Union Flag to mark other significant events affecting the College, the University or the nation or which are being widely acknowledged by other colleges should rest with the Provost who should consult as many members of the General Purposes Committee who are available before reflecting their majority and making a decision.
As approved by GB 26/4/17 (*Minute 82*)
(via GPC Minutes)

**ORIEL FLAG DAYS**

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>Feb 1st</td>
<td>LGBTQ (Special Flag)</td>
</tr>
<tr>
<td>Feb 2nd</td>
<td>Candlemas *</td>
</tr>
<tr>
<td>Feb 6th</td>
<td>Accession of the Queen</td>
</tr>
<tr>
<td>Feb 28th</td>
<td>LGBTQ (Special Flag)</td>
</tr>
<tr>
<td>March</td>
<td>Adam de Brome Gaudy Saturday of 9th week</td>
</tr>
<tr>
<td>Apr 21st</td>
<td>the Queen’s birthday*</td>
</tr>
<tr>
<td>Apr 23rd</td>
<td>Saint Georges Day</td>
</tr>
<tr>
<td>May</td>
<td>For Eights fly flag from Wednesday to Saturday 5th week of Trinity Term</td>
</tr>
<tr>
<td>May 17th</td>
<td>LGBTQ (Special Flag)</td>
</tr>
<tr>
<td>June</td>
<td>the Queen’s official birthday 2nd Saturday in June (check for variations)</td>
</tr>
<tr>
<td>June</td>
<td>Encaenia 2nd Wednesday of 9th week Trinity Term (check for variations) *</td>
</tr>
<tr>
<td>Nov 14th</td>
<td>Prince of Wales’ birthday</td>
</tr>
</tbody>
</table>

And all Gaudies

Any other times decided by the Provost.

* days when the flag should be flown from both flagpoles. Other days to be decided by the Domestic Bursar in consultation with the Provost and/or Treasurer
Appendix 2: Current Oriel Policy on Flags from Student Windows


10.14. Flags

The display of flags and/or political posters in public areas of College is not permitted. The display of flags or posters outside individual rooms, including windows, is also not permitted.


Sections not reproduced here, for reasons of relevance, are: ‘Responsibilities’, ‘Complaints’ and ‘Review’.


THE COLLEGE’S AIMS

Oriel College welcomes and respects diversity amongst its Fellows, staff and students, recognising the particular contributions to the achievement of its educational purposes that can be made by individuals from a wide range of backgrounds and experiences.

Oriel College will work to remove any barriers which might deter people of the highest ability from applying to the College, either as Fellows, staff or students. The College aims to provide an inclusive environment which values diversity and maintains a working, learning and social environment in which the rights and dignity of all its Fellows, staff and students are respected to assist them in reaching their full potential.

In exercising its policies, practices, procedures and other functions the College will have due regard to its duties under The Equality Act 2010 and to the protected characteristics\(^5\) specified within it.

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\(^5\) The characteristics protected by the Equality Act 2010 are: age, disability, gender reassignment, marital or civil partnership status (in employment), pregnancy and maternity, race, religion or belief (including lack of belief), sex and sexual orientation.
THE COLLEGE’S COMMITMENT

The College will encourage applications for study and employment from the widest pool of potential candidates.

With regard to Fellows and staff, the College will ensure that entry into employment and progression within employment is determined solely by criteria which are related to the requirements of a particular post, the relevant pay band and personal merit. In all cases the ability to perform the job would be the primary consideration.

In relation to students, the College aims to provide education of excellent quality at undergraduate and postgraduate level for intellectually able students, whatever their background. In pursuit of this aim, the College is committed to using its best endeavours to ensure that all of its activities are governed by principles of equality of opportunity, and that all students are helped to achieve their full academic potential. Decisions on the admission of both undergraduate and graduate students will be based solely on the individual merits of each candidates and the application of selection criteria appropriate to the course of study.

APPLICATION OF THIS POLICY

This policy applies to all members of the College community including Fellows, staff, students, applicants and associate members of the College.

All members of the College community are expected to act in accordance with this policy and to treat colleagues with respect at all times.

In order to realise its commitment, the College will:

- promote the aims of this policy;
- be proactive in encouraging equality of opportunity and respect for diversity.
- be proactive in eliminating discrimination, including harassment and bullying, for example through training and the policy and procedure on harassment and bullying.
- have regard to its obligations under relevant legislation, including the Equality Act 2010.
- make this policy and associated policies and procedures available to all Fellows, staff and students; and
- review on a regular basis the terms of this policy and all associated policies and procedures.
Appendix 4: Current Policy on flying flags from the official flagpole at Exeter College, Oxford.

As outlined to the Exeter College JCR LGBTQ+ Rep in a Conversation with the Exeter Domestic Bursar in 2017.

"Any member of the College or representative group (such as the Junior Common Rooms) may make a request in writing to Governing Body (through the Rector) to permit the display of a symbol or flag associated with a cause relating to equality and diversity. The request must articulate clearly how public support of such cause fits with the College’s then-current policies on equality, diversity, harassment and freedom of speech and demonstrate that there is wide support within the College community for making a public statement in support of that cause. Consideration will be given in a discussion at Governing Body at which Junior Members are present to the national and international recognition of the flag or symbol to be displayed and any connotations it may have beyond the issues which it purports to represent in the petition before Governing Body. The purpose of this is to reduce the risk of trivialising the College’s public support of liberal causes and to limit the scope for the College becoming inadvertently associated with a social or political issue that might bring it into inappropriate or harmful controversy. A request to display a symbol must be received by the Rector sufficiently in advance of the date on which it is to be displayed for the request to be included in a prior, scheduled meeting of the Governing Body and the Rector shall have the discretion to defer a request if it is not received sufficiently in advance for incorporation within the next Governing Body business agenda.

“On all occasions when a symbol or flag other than the national flag of the United Kingdom or the College Flag is to be displayed in public, a statement agreed by the Governing Body explaining the College’s reasons for displaying the symbol will be published on the College door or in another suitable public place."

Appendix 5: The Flying of the LGBTQ+ Flag in Other Colleges Over February

Information below has been gathered from communications with JCR LGBTQ+ Officers from other colleges.

Currently, eleven colleges in Oxford fly the LGBTQ+ flag for the whole of February:

- Christ Church*. (Christ Church flies the flag prominently from a ‘JCR flagpole’ in the middle of Peckwater Quad over LGBT Month rather than flying the flag from the official flagpole.)
- University*.
- Lincoln*.
- Jesus.
● Exeter*.
● Mansfield.
● Merton*. (Merton has previously flown the flag from an unofficial ‘JCR flagpole’, but from 2018 will fly the flag for the whole month from the official flagpole.)
● St Hugh’s.
● Corpus Christi.
● St Catherine’s.
● Wadham.

(*Denotes colleges that have changed their policy since 2013, the last time that this issue was considered by Oriel’s Governing Body.)

In addition to this, two colleges fly the flag for a full week in February:

● Queen’s.
● Worcester.

Oriel is currently the only one of the five Merton Street colleges (Christ Church, Corpus Christi, Merton, Oriel and University) that does not fly the flag for the whole month. In addition, it is one of only three High Street colleges that do not fly the flag for the whole month - the other two being Magdalen and All Soul’s.

Appendix 6: Summary of Policy on the Flying of Flags from Student Windows in Selected Other Colleges.

Information listed below has been gathered from Student Handbooks and communications with JCR LGBTQ+ Officers from other colleges.

● The following colleges appear never to have objected to students flying the LGBTQ+ flag and (as far as we know) never objected to any other flags from windows either. Most of these have no mention of flags in official documents:
  ○ Corpus Christi. (Flag-flying is banned on the main site, but it’s thought that flag-flying is permissible on other college property.)
  ○ Hertford.
  ○ Merton.
  ○ Regent’s Park.
  ○ St Anne’s.
  ○ St Benet’s Hall.
  ○ St Hugh’s.
  ○ University.
● Wadham has an official anti-flag policy that is never enforced (as has been confirmed by the Warden).
● Brasenose has an uncodified general anti-flag policy, for which an exception is made with the rainbow flag during February.
Some colleges have a codified general anti-flag policy, but make an exception to the rainbow flag during February:
  - Christ Church.
  - Somerville.
Magdalen has no official policies specifically pertaining to flags. It does have a codified policy against political advertising, but has confirmed that the rainbow flag would probably not be considered as such and would be permitted.

Appendix 7: List of Selected Public Institutions Outside Academia that Fly the LGBTQ+ Flag (or Similar)

United Kingdom:

- Since 2016, Oxford City Council has flown the Bi Pride flag on 23 September to mark International Bi-visibility Day\textsuperscript{ xv }.
- In August 2016, UK Foreign Secretary Boris Johnson lifted a ban on the flying of the LGBTQ+ flag by British embassies overseas. A Foreign and Commonwealth Office spokesperson said at the time: ‘The Foreign Secretary has agreed that FCO buildings, including at diplomatic missions overseas, can fly the rainbow flag in order to mark relevant international days such as the International Day Against Homophobia, Biphobia and Transphobia (IDAHOBIT) and locally relevant events, such as local Pride celebrations.’ The change in policy had been recommended by a House of Commons Foreign Affairs Committee who had criticised the FCO’s ‘apparent deprioritisation of human rights’. MPs who had lobbied in support included Conservative MP Nigel Evans, who had said previously that it ‘would send the important signal that we stand by the side of those who are oppressed, and indeed, in some cases, those who fear death for the crime of being born gay’.\textsuperscript{ xvi xvi xvi xvii xvi xvi }
- In August 2017, James Brokenshire - UK Secretary for Northern Ireland - authorised the LGBTQ+ flag to be flown from Stormont House (an official UK Government building) to mark Belfast’s Pride festival\textsuperscript{ xix }.
- The British Embassy in Rangoon, Myanmar, flew the LGBTQ+ flag for the International Day Against Homophobia, Biphobia And Transphobia in 2014\textsuperscript{ xx }.
- The British Ambassador’s Residence in Guatemala City flew the LGBTQ+ flag from 24-25 June 2017 to celebrate the annual Pride event\textsuperscript{ xxi }.
- The LGBTQ+ flag was flown from the London offices of the Department for Communities and Local Government on 28 June 2013 to celebrate London Pride\textsuperscript{ xxii }.
- The Cabinet Office has flown the LGBTQ+ flag to celebrate London Pride since 2015\textsuperscript{ xxiii }.

Canada:

- Canada has in the past flown the flag from its embassies in support of LGBTQ+ rights\textsuperscript{ xxiv }, and its embassies have frequently organised groups to take part in Pride parades\textsuperscript{ xxv }.
Canada has since 2016 raised the LGBTQ+ flag from government buildings in Ottawa to celebrate the Pride festival\textsuperscript{xxvi}.

Other:

- On 17 May 2014, an official Government building in Prishtina, Kosovo, was covered with the LGBTQ+ flag to support a march against homophobia\textsuperscript{xxvii xxviii}.
- Flying of the rainbow flag has also become a common gesture of solidarity and celebration among local authorities ranging from Torfaen, Wales\textsuperscript{xxix} to Ferndale, Michigan\textsuperscript{xxx} and Buenos Aires\textsuperscript{xxxi}. Flags have been flown from institutions as disparate as Cheshire fire stations\textsuperscript{xxxii} and Scottish prisons\textsuperscript{xxxiii}.

Appendix 8: Email from Decanal Team to Oriel Student Body on 22/02/2017

From: Oriel College Deans [deans@oriel.ox.ac.uk]

Sent: 22 February 2017 16:52

To: orielundergraduates@maillist.ox.ac.uk; orielgraduates@maillist.ox.ac.uk

Subject: [orielundergraduates] Flags

Dear Students,

The College has a procedure for determining which flags and when will be displayed by College on the flagpole. Due to this, it is a longstanding policy that students not fly their own flags from their rooms, regardless of what that flag may be. We ask that you please respect the College's policy for flags and not hang flags from the rooms of college accommodation.

You are more than welcome to hang flags on provided cork boards in your room, or to bring requests for the College to fly any particular flag to your common room president, and they will take requests forward (please allow plenty of notice, as flag approval must go through various steps).

Kind regards,

Betsy and Alex

Decanal Team

Oriel College
Appendix 9: Extract from the Information Commissioner’s Office’s ‘Definition Document’ for Higher Education Institutions (HEIs) Regarding Documents an HEI Should Make Readily Available under the Freedom of Information Act 2000


How we make decisions

Decision making processes and records of decisions.

Minutes of formal meetings where key decisions are made about the operation of the HEI should be available. HEIs may decide not to publish particular minutes on a case by case basis. Information in this class should be available at least for the current and previous three years.

Information published will depend on the governance structure of HEIs, which can vary. Examples of this class of information include:

- Agendas, officers’ reports, background papers and minutes from governing body, Council / Senate, academic boards, steering groups and committees
- Teaching and learning committee minutes
- Minutes of staff / student consultation meetings
- Appointment committees and procedures

Our policies and procedures

Current written protocols, policies and procedures for delivering our services and responsibilities.

We would expect information in this class to be current information only.

- Policies and procedures for conducting HEI business

Codes of practice, memoranda of understanding, procedural rules, standing orders and similar information should be included. Procedures for handling requests for information should be included. In Wales it will include the Welsh Language Scheme in accordance with the Welsh Language Act 1993, and in Northern Ireland the equality scheme/statement produced in accordance with section 75 of the Northern Ireland Act 1998.
Endnotes

1 The JCR welfare officers at the time were Mason Youssif and Tess Leyland. The JCR president at the time was Eoin Monaghan.
4 Both Wadham documents available online at http://www.wadham.ox.ac.uk/governance/regulations-and-policy-documents as of 07/12/2017. Oriel’s Equal Opportunities Policy is partially reproduced in Appendix 3, but can be found in full at http://www.oriel.ox.ac.uk/policies-and-procedures as of 07/12/2017.
5 PACE, The RuRE Research Report (2015, co-authored by Nuno Nodin, Elizabeth Peel, Allan Tyler and Ian Rivers). Universities of Worcester; University of Brunel; and London South Bank University. Locatable online at http://www.queerfutures.co.uk/wp-content/uploads/2015/04/RARE_Research_Report_PACE_2015.pdf as of 06/12/2017. The statistic for transgender suicide rates can be found on p. 49 of the report. The equivalent statistic for cisgender young people was 26% - just over half. The statistic for LGB young people can be found on p. 47. The equivalent statistic for heterosexual young people was 18% - again, just over half. ‘Young people’ is defined as being those aged 26 and under on p. 47 of the report.
11 Ibid
13 The original flag had eight stripes (the modern flag usually has six). The eight original colours were: pink, red, orange, yellow, green, blue, indigo, and violet. They were originally intended to represent, respectively: sexuality, life, healing, sun, nature, art, harmony, and spirit.
14 Christ Church does not fly the flag for the whole month from their official flagpoles, but allows the flag to be flown for the whole month from a prominent ‘JCR flagpole’ in the middle of Peckwater Quad. Merton has previously done similarly, but from 2018 will be flying the flag from the official flagpole for the whole month.
xxiii The Guardian, ‘Cabinet Office and FCO divided over flying rainbow flag’. Frances Perraudin, 22/06/2015. Accessible online at https://www.theguardian.com/world/2015/jun/22/cabinet-office-fco-flag-lgbt-pride-london as of 20/11/2017. [N.B. Despite the title of this article from 2015, the FCO’s policy is now the same as the Cabinet Office, as detailed above.]