# Open College of the Arts

# Offensive Content Policy

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Any student work that involves the creation, display, production and circulation of content which could be perceived as illegal, extremist, abusive or offensive is expressly forbidden. This applies to work in any form or any medium. Tutors are required to bring such content to the attention of OCA Head Office.

OCA operates at all times within the provisions of the following legislation:

* Copyright, Designs and Patents Act, 1998
* Criminal Justice and Public Order Act, 1994
* General Data Protection Regulation, 2016
* Defamation Act, 1996 and libel laws
* Equality Act, 2010
* Freedom of Information Act, 2000
* Human Rights Act, 1998
* The Terrorism Act, 2006
* Obscene Publications Act, 1959 and 1964
* Protection from Harassment Act, 1997
* Protection of Children Act, 1999
* Telecommunication (Lawful Business Practice) (Interception of Communications) Regulations 2000

Offences against these acts may be reported to the police for further investigation and possible prosecution.

For students whose direction of study leads them to research topics which may be classed or seen as promoting extremist or offensive views, OCA requires the submission of a Research Declaration Form (see links below) in the event that such research is flagged by the authorities as being in breach of the Terrorism Act 2006.

If students are unsure whether their work would fall into the offensive content category, they are entitled to submit a sample to the OCA Head Office for guidance before incorporating the material into their work or making it publicly available. Any such work will be reviewed by the Curriculum and Quality Committee (CQC) and the result notified to the student. The review by the CQC will result in one or more of the following outcomes:

* a requirement that the student either does not include the content, or adequately contextualises the content and justifies its place within the body of work;
* a requirement that the student places adequate gateways/protection in place to protect minors and to warn tutors/assessors and any other people who may view the content, of the offensive nature of the material;
* a requirement to eliminate the content from the portfolio.

There will be no penalty for the student in such a situation provided that any work deemed to be offensive is immediately withdrawn or adapted within the provisions of this policy. However, in an extreme case, and where the outcome determined by the CQC is not acted upon immediately, tutorial support will be withdrawn from the student (without refund), in line with the disciplinary paragraphs in the **Conditions of Enrolment** (see Student Regulations, Section B).

## Links

* Research Declaration Form: <https://goo.gl/forms/wfHIVdD5mGdLOZIW2>