

Briefing

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***Prevent* duty guidance (July 2015)- Guidance for specified authorities in England and Wales on the duty in the Counter-Terrorism and Security Act 2015 to have due regard to the need to prevent people from being drawn into terrorism**

1. Context

- 1.1. Section 26 of the Counter-Terrorism and Security Act 2015 places a duty on certain bodies to have “due regard to the need to prevent people from being drawn into terrorism”.
- 1.2. The duty applies to specified authorities in England and Wales, and Scotland. Counter terrorism is the responsibility of the UK Government. However, many of the local delivery mechanisms in Wales and Scotland, such as **health, education and local government**, are devolved.
- 1.3. It informs the ‘**Duty to Prevent**’ document for schools (June 2015)

2. Introduction

- 2.1. The *Prevent* strategy, published by the Government in 2011, is part of an overall counter-terrorism strategy, CONTEST. The aim of the *Prevent* strategy is to reduce the threat to the UK from terrorism by stopping people becoming terrorists or supporting terrorism. In the Act this has simply been expressed as the need to “prevent people from being drawn into terrorism”.
- 2.2. The 2011 *Prevent* strategy has three specific strategic objectives:
 - 2.2.1. respond to the ideological challenge of terrorism and the threat we face from those who promote it;
 - 2.2.2. prevent people from being drawn into terrorism and ensure that they are given appropriate advice and support; and
 - 2.2.3. work with sectors and institutions where there are risks of radicalisation
- 2.3. The Government has defined extremism in the *Prevent* strategy as: “vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs.
- 2.4. The *Prevent* strategy was explicitly changed in 2011 to deal with all forms of terrorism and with non-violent extremism, which can create an atmosphere conducive to terrorism and can popularise views which terrorists then exploit.
- 2.5. *Prevent* work is intended to deal with all kinds of terrorist threats to the UK. The most significant of these threats is currently from terrorist organisations in Syria and Iraq, and Al Qa’ida associated groups. But terrorists associated with the extreme right also pose a continued threat to our safety and security.

3. A risk-based approach to the *Prevent* duty

- 3.1. In complying with the duty all specified authorities should demonstrate an awareness and understanding of the risk of radicalisation in their area, institution or body.
- 3.2. There are three themes throughout the sector-specific guidance
- 3.2.1. **Leadership** For all specified authorities, we expect that those in leadership positions:
- 3.2.1.1. establish or use existing mechanisms for understanding the risk of radicalisation;
 - 3.2.1.2. ensure staff understand the risk and build the capabilities to deal with it;
 - 3.2.1.3. communicate and promote the importance of the duty; and
 - 3.2.1.4. ensure staff implement the duty effectively.

3.2.2. **Working in partnership**

- 3.2.2.1. *Prevent* work depends on effective partnership. To demonstrate effective compliance with the duty, specified authorities must demonstrate evidence of productive co-operation, in particular with local *Prevent* co-ordinators, the police and local authorities, and co-ordination through existing multi-agency forums, for example Community Safety Partnerships.

3.2.3. **Capabilities**

- 3.2.3.1. Frontline staff who engage with the public should understand what radicalisation means and why people may be vulnerable to being drawn into terrorism as a consequence of it. They need to be aware of what we mean by the term “extremism” and the relationship between extremism and terrorism
- 3.2.3.2. Staff need to know what measures are available to prevent people from becoming drawn into terrorism and how to challenge the extremist ideology that can be associated with it. They need to understand how to obtain support for people who may be being exploited by radicalising influences. All specified authorities subject to the duty will need to ensure they provide appropriate training for staff involved in the implementation of this duty. Such training is now widely available.

3.2.4. **Sharing information**

- 3.2.4.1. The *Prevent* programme must not involve any covert activity against people or communities. But specified authorities may need to share personal information to ensure, for example, that a person at risk of radicalisation is given appropriate support (for example on the Channel programme).
- 3.2.4.2. Information sharing must be assessed on a case-by-case basis and is governed by legislation. 22. There may be some

circumstances where specified authorities, in the course of *Prevent* related

3.3. Monitoring and enforcement

3.3.1. All specified authorities must comply with this duty and will be expected to maintain appropriate records to show compliance with their responsibilities and provide reports when requested.

3.4. Central support and monitoring

3.4.1. The Home Office currently oversees *Prevent* activity in local areas which have been identified as priorities for this programme, and will provide central monitoring for the new duty. The Home Office shares management (with local authorities) of local *Prevent* co-ordinator teams

3.4.2. The Home Office will:

- 3.4.2.1. draw together data about implementation of *Prevent* from local and regional *Prevent* coordinators
- 3.4.2.2. monitor and assess *Prevent* delivery in up to 50 *Prevent* priority areas

3.5. Sector-specific guidance

3.5.1. **Local authorities** are vital to *Prevent* work and will be working with their local partners to protect the public, prevent crime and to promote strong, integrated communities.

3.5.2. **Partnership** Local authorities should establish or make use of an existing local multi-agency group to agree risk and co-ordinate *Prevent* activity. Channel panels

N.B. This guidance should be read in conjunction with other relevant safeguarding guidance, in particular Working Together to Safeguard Children (<https://www.gov.uk/government/publications/working-together-to-safeguard-children>).

3.4 Action plan:

- The local authority should develop a *Prevent* action plan.
- The local action plans will identify, prioritise and facilitate delivery of projects, activities or specific interventions to reduce the risk of people being drawn into terrorism in each local authority.
- **Staff training** - Local authorities will be expected to ensure appropriate frontline staff, including those of it's contractors, have a good understanding of *Prevent*
- Local authority staff will be expected to make appropriate referrals to Channel and ensure that Channel is supported by the appropriate organisation and

expertise. Guidance on the Channel programme can be found here:
<https://www.gov.uk/government/publications/channel-guidance>

3.5 Other agencies and organisations supporting children

The duty applies to children's homes and independent fostering agencies and bodies exercising local authority functions. These bodies should ensure they are part of their local authorities' safeguarding arrangements and that staff are aware of and know how to contribute to *Prevent* related activity in their area where appropriate.

3.6 Out-of-school settings supporting children

Many children attend a range of out-of-school settings other than childcare including supplementary schools, and tuition centres to support home education. These settings are not regulated under education law. Local authorities should take steps to understand the range of activity and settings in their areas and take appropriate and proportionate steps to ensure that children attending such settings are properly safeguarded

3.7 Monitoring and enforcement

In fulfilling its central monitoring role the Home Office can scrutinise local *Prevent* action plans, project impact and overall performance.

The Government anticipates that local authorities will comply with this duty and work effectively with local partners to prevent people from being drawn into terrorism.

3.8 Schools and registered childcare providers (excluding higher and further education)

All publicly-funded schools in England are required by law to teach a broad and balanced curriculum which promotes the **spiritual, moral, cultural, mental and physical development of** pupils and prepares them for the opportunities, responsibilities and experiences of life. They must also **promote community cohesion**. Independent schools set their own curriculum but must comply with the Independent School Standards, which include an explicit requirement to **promote fundamental British values** as part of broader requirements relating to the quality of education and to promoting the spiritual, moral, social and cultural development of pupils.

These standards also apply to academies.

The Early Years Foundation Stage (EYFS) accordingly places clear duties on providers to keep children safe and promote their welfare. Early years providers must take action to protect children from harm and should be alert to harmful behaviour by other adults in the child's life.

This guidance should be read in conjunction with other relevant guidance:

- Working Together to Safeguard Children

- Keeping Children Safe in Education
- Information Sharing: Her Majesty's Government advice for professionals providing safeguarding services to children, young people, parents and carers.

<https://www.gov.uk/government/publications/working-together-to-safeguard-children>;
<https://www.gov.uk/government/publications/keeping-children-safe-in-education>;

3.9 Staff training

Specified authorities should make sure that staff have training that gives them the knowledge and confidence to identify children at risk of being drawn into terrorism, and to challenge extremist ideas which can be used to legitimise terrorism and are shared by terrorist. They should know where and how to refer children and young people for further help. *Prevent* awareness training will be a key part of this.

3.10 IT policies

Specified authorities will be expected to ensure children are safe from terrorist and extremist material when accessing the internet in school, including by establishing appropriate levels of filtering.

3.11 Monitoring and enforcement

When assessing the effectiveness of schools, Ofsted inspectors already have regard to the school's approach to keeping pupils safe from the dangers of radicalisation and extremism, and what is done when it is suspected that pupils are vulnerable to these.

In addition the DfE also issued The Prevent Duty for Schools in June 2015

This document built on **Promoting fundamental British values as part of SMSC in schools (November**

Risk assessment

- Schools and childcare providers are expected to assess the risk of children being drawn into terrorism, including support for extremist ideas that are part of terrorist ideology
- They should be able to demonstrate both a general understanding of the risks affecting children and young people in the area and a specific understanding of how to identify individual children who may be at risk of radicalisation and what to do to support them.
- Schools and childcare providers are in an important position to identify risks within a given local context
- schools and childcare providers must understand these risks so that they can respond in an appropriate and proportionate way
- schools and childcare providers should be aware of the increased risk of online radicalisation, as terrorist organisations such as ISIL seek to radicalise young people through the use of social media and the internet
- staff should be alert to changes in children's behaviour which could indicate that they may be in need of help or protection

- School staff should use their professional judgement in identifying children who might be at risk of radicalisation and act proportionately.
- The Prevent duty does not require teachers or childcare providers to carry out unnecessary intrusion into family life but as with any other safeguarding risk, they must take action when they observe behaviour of concern.
- Schools and childcare providers should have clear procedures in place for protecting children at risk of radicalisation
- Procedures may be set out in existing **safeguarding policies**
- General safeguarding principles apply to keeping children safe from the risk of radicalisation as set out in the relevant statutory guidance, **Working together to safeguard children** and **Keeping children safe in education**.
- School staff and childcare providers should understand when it is appropriate to make a referral to the **Channel programme**. Channel is a programme which focuses on providing support at an early stage to people who are identified as being vulnerable to being drawn into terrorism.

Prevent - Building children's resilience to radicalisation – what schools can do

- Provide a safe environment for debating controversial issues
- help pupils to understand how they can influence and participate in decision-making
- promote the spiritual, moral, social and cultural development of pupils and, within this, fundamental British values
- Have a **Personal, Social and Health Education (PSHE) programme**- an effective way of providing pupils with time to explore sensitive or controversial issues, and equip them with the knowledge and skills to understand and manage difficult situations. The subject can be used to teach pupils to recognise and manage risk, make safer choices, and recognise when pressure from others threatens their personal safety and wellbeing. They can also develop effective ways of resisting pressures, including knowing when, where and how to get help. Schools can encourage pupils to develop positive character traits through PSHE, such as resilience, determination, self-esteem, and confidence.
- Have **robust Citizenship** which helps to provide pupils with the knowledge, skills and understanding to prepare them to play a full and active part in society:
 - explore political and social issues critically
 - learn about democracy, government and how laws are made and upheld
 - Learn about the diverse national, regional, religious and ethnic identities in the United Kingdom and the need for mutual respect and understanding.

Ofsted From 1st September 2015

Judgement – Personal development Behaviour and Welfare

Inspectors will make a judgement on the personal development, behaviour and welfare of children and learners by evaluating the extent to which the provision is successfully promoting and supporting children's and other learners':

- pride in achievement and commitment to learning, supported by a positive culture across the whole provider
- self-confidence, self-awareness and understanding of how to be a successful learner
- choices about the next stage of their education, employment, self-employment or training, where relevant, from impartial careers advice and guidance
- where relevant, employability skills so that they are well prepared for the next stage of their education, employment, self-employment or training
- prompt and regular attendance
- following of any guidelines for behaviour and conduct, including management of their own feelings and behaviour, and how they relate to others
- understanding of **how to keep themselves safe from relevant risks such as abuse, sexual exploitation and extremism, including when using the internet and social media**
- knowledge of how to keep themselves healthy, both emotionally and physically, including through exercising and healthy eating
- personal development, so that they are **well prepared to respect others and contribute to wider society and life in Britain.**

So what are we doing in Hampshire?

- We have a multi agency **Prevent Strategy Board**, chaired by Jo Lappin (adult services)
- We have the **Channel Programme** available
- Working with Inspector David Knowles on **transition** (from Police to LA) programme – **training** held in August for a range of people including:
 - YOT team members
 - Workforce development – for training all those other than schools
 - Five inspector/advisers to train Schools - – six half days set up – 26th November, 30th November and 29th January
 - Governors – centre based and whole governing board
- Promoted the online **E-Learning** around Prevent
- **E-Safety training** – courses and inschool training
- Tweaking of other courses e.g. **Promoting British Values through SMSC**
- **Highlighting relevant documents** such as Promoting British Values through SMSC (Nov 2014) and The Duty to Prevent June 2015
- We have an **anti bullying strategy** group
- We promote high quality **RE, PSHE and Citizenship**
- **PDL Managers Conference 24th November – Preparing pupils for life in the 21st Century**