Statutory guidance

Revised Prevent duty guidance: for England and Wales

Updated 31 March 2021

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

A. Status and scope of the duty

Statutory guidance issued under section 29 of the Counter-Terrorism and Security Act 2015:

1. Section 29 of the Counter-Terrorism and Security Act 2015 (the Act) places a duty on certain bodies (specified authorities in this guidance) to have due regard to the need to prevent people from being drawn into terrorism. This guidance is issued under section 29 of the Act. The Act states that the authorities subject to this provision must have regard to this guidance when carrying out the duty.

2. The list of specified authorities subject to the provisions can be found in Schedule 6 to the Act. Further details can be found in the sector-specific sections of this guidance.

3. The duty applies to specified authorities in England and Wales, and Scotland and Northern Ireland specified authorities in respect of certain parts of their work (such as education, local authority or health, education and youth justice and local government, as described. We will ensure close cooperation with the Scottish and Northern Ireland Governments on the implementation of the duty, as interdependencies between devolved and non-devolved elements. There is separate guidance for specified authorities in Scotland.

4. The duty does not confer new functions on any specified authority. The term "due regard" as used in the Act means that the authorities should place an appropriate amount of weight on the need to prevent people from being drawn into terrorism. They consider all the other factors relevant to how they carry out their usual functions. The purpose of this guidance is to assist authorities to decide what this means in practice.

B. Introduction

5. The Prevent strategy, published by the Government in 2011, is part of our overall counter-terrorism strategy, CONTEST. The aim of the Prevent strategy is to reduce 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".

6. The 2011 Prevent strategy has three specific strategic objectives:

- respond to the ideological challenge of terrorism and the threat we face from those who promote it
- prevent people from being drawn into terrorism and ensure that they are given appropriate advice and support
- work with sectors and institutions where there are risks of radicalisation that we need to address.

7. Terrorist groups often draw on and exploit real grievances, some shared by other organisations. Some groups also form political groups have previously been members of proscribed organisations. Some of the ideologies, and the ways in which they are defined extremist in the Prevent strategy, "as well as other opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs", are also used to justify violence or attempt to undermine the death of members of our armed forces.

8. The Prevent strategy was explicitly changed in 2011 to deal with all forms of terrorism and with non-violent extremism, which can create an environment conducive to terrorism and can popularise views which terrorists then exploit. It also makes clear that the Government will bring the full force of its counter-terrorism strategy against those who promote violence. Where they are used to legitimise terrorism and are shared by terrorist groups, non-violent extremist organisations can act as a "gateway" for terrorism and create an environment conducive to terrorism and popularise views which terrorists exploit (defined legal) prevents non-violent extremist activity.

9. Our 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 Qaeda-inspired groups. We also remain concerned about the extreme right wing, also a continued threat to our safety and security.

10. Islamist extremists regard Western intervention in Muslim-majority countries as a "war with Islam", creating a narrative of "them and us". Their ideology includes uncompromising belief that people cannot be both Muslim and British, and that British Muslims face a choice between their religion and their country. This ideology specifically attacks the principles of open participation and civic freedoms. It feeds on grievances to identify grievances to which terrorist organisations then claim to be the "only" solution.

11. The white supremacist ideology of extreme right-wing groups has also proved toxic the inspiration and justification for people who have committed extreme right-wing terrorist acts.

12. Fulfilling the duty in section 29 of the Act, we expect all specified authorities to demonstrate that they have regard to this statutory guidance and have sufficient regard to its aims, and the extent to which they do this, will depend on many factors, for example, the age of the individual, how much interaction they have with them, etc. The specified authorities listed in Schedule 6 to the Act are expected to comply with the duty in proportion to the risks they face in their area and in relation to the activities they undertake. Following other responsibilities such as the duty arising from section 149 of the Equality Act 2010 is good practice.

13. This advice identifies best practice for each of the main sectors and describes ways in which they can comply with the duty. It includes sources of further advice and provides examples of how authorities can demonstrate that they are complying with specific guidance for Further Education and Higher Education institutions (subject to the Prevent duty has been published separately and should be read alongside this guidance.

C. A risk-based approach to the Prevent duty

14. In complying with the duty all specified authorities, as a starting point, should demonstrate an understanding of the risk of people being drawn into terrorism, within their institution or body. This risk will vary greatly and can change rapidly, but no area, institution or body is risk free. Whilst the type and scale of activity that will address the risk will vary, it is important that all specified authorities can show that they have taken this risk seriously.

15. There are three themes throughout the sector-specific guidance, set out in this document, effective leadership, working in partnership and appropriate capabilities.

Leadership

16. For all specified authorities, we expect that those in leadership positions:

- establish or use existing mechanisms for understanding the risk of radicalisation
- ensure staff understand the risk and build the capabilities to deal with it
- communicate and promote the importance of the duty, and
- ensure staff implement the duty effectively.

Working in partnership

17. Prevent work depends on effective partnership. To demonstrate effective compliance with the duty, specified authorities must demonstrate evidence of partnership working in the local area. This will include, for example, participation in local authority-led co-ordination through existing multi-agency forums, for example Community Safety Partnerships.

Capabilities

18. Frontline staff who engage with the public should understand what radicalisation means and why people may need to be supported in the context of this duty, consequence of it. They need to be aware of what we mean by the term "extremism" and the relationship between extremism and terrorism (see section B, above).

19. Staff training is vital, measures are available to prevent people from being drawn into terrorism and how to challenge the extremist ideology that can be exploited by terrorists. Staff should know where and how to refer people for support for people who are being exploited by radicalising influences.

20. 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.

Sharing information

21. The Prevent programme must not involve any covert activity against people or communities. But specified authorities may need to share personal information to inform judgements on how a person is being affected by the radicalisation process (the markers on the Channel programme). Information sharing must be proportionate on a case by case basis and is governed by legislation. To ensure the rights of individuals are fully protected, it is important that information sharing agreements are in place at a local level. When considering sharing personal information, the specified authorities should take account of the following:

- necessity and proportionality: personal information should only be shared where it is strictly necessary to the intended outcome and proportionate to it. Key considerations in this regard will be the nature of the information to be shared and the anticipated consequence of the risks to an individual or the public
- consent: wherever possible the consent of the person concerned should be obtained before their personal information is shared
- power to share: the sharing of data by public sector bodies requires the existence of a power to do so. In addition to complying the requirements of the Data Protection Act 2018 and the UK GDPR
- Data Protection Act and the Common Law Duty of Confidentiality: in engaging with non-public bodies, the specified authority should ensure that they are aware of their responsibilities in accordance with the Data Protection Act and any confidentiality obligations that exist.

22. There may be some circumstances where specified authorities, in the course of Prevent work, identify someone who may already be engaged in illegal activity or in danger of being harmed. People suspected of being involved in such activity must be referred to the police.

D. Monitoring and enforcement

23. 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.

Central support and monitoring

24. The Home Office currently oversees Prevent activity in local areas which have been identified to be at risk from the threat from terrorism. These areas currently are: 32 new boroughs. The Home Office shares management (with local authorities) of local Prevent co-ordination teams.

25. The Home Office will:

- draw together data about implementation of Prevent from local and regional Prevent co-ordinators, police counter-terrorism units, intelligence units, Ofsted, inspectorates and other departments and inspection bodies which are appropriate
- commission various Prevent delivery (up to 50 Prevent priority areas)
- maintain contact with relevant departments and equitable issues to them and inspectorates where appropriate
- ensure Prevent is properly mainstreamed, chaired by the Minister for Immigration and Security, which may seek further advice from independent advisers on Prevent matters

26. Where a specified body is not complying with the duty, the Prevent Oversight Board may recommend that the Secretary of State use the power of direction under section 30 of the Act. This power would only be used when other options for engagement and support have proved unsuccessful. The Government would work with such a specified organisation and delivery of the Prevent duty. It is also capable of being exercised in respect of Welsh specified authorities, and would be used following consultation with Welsh Ministers.

Inspection regime in individual sectors

27. Central support and monitoring will be supplemented by existing inspection regimes in specific sectors. Most were specified authority bodies to undertake inspection regimes in relation to the Prevent duty, as part of their existing inspection regimes.

28. We will work with the Welsh Government on Prevent monitoring arrangements and provide support to Welsh inspection regimes as required.

E. Sector-specific guidance

Local authorities

29. With their wide ranging responsibilities, and democratic accountability to their electorate, local authorities are a Prevent key partner. Effective local authorities will be working with their local partners to protect the public, prevent crime and to promote strong, integrated communities.

Specified local authorities

30. The local authorities that are subject to the duty are listed in Schedule 6 to the Act. They are:

- a county council or district council in England,
- the Greater London Authority,
- a London borough council,
- the Council of the City of London in its capacity as a local authority,
- the Council of the Isles of Scilly,
- a county council or county borough council in Wales, and
- a person carrying out a function of an authority mentioned in section 1(1) of the Local Government Act 1999 by virtue of a direction made under section 15 of that Act.

31. The Prevent duty does not confer new functions on any specified authority. The term "due regard" as used in the Act means that the authorities should place an appropriate amount of weight on the need to prevent people from being drawn into terrorism. It is not intended to be a burdensome additional requirement. The Prevent duty is intended to complement the existing local authority duties such as those under the Equality Act 2010 and the Human Rights Act 1998. Local authorities should be able to demonstrate that they have taken reasonable steps to prevent people being drawn into terrorism. These steps will often be proportionate to the risk posed to the local area, institution or body. The Prevent duty is not intended to limit discussion of these issues. Schools should, however be mindful of their duties to ensure that teaching is balanced and appropriate when presentation of political issues. These duties are imposed on maintained schools by sections 406 and 407 of the Education Act 1996. Similar duties are placed on the governing bodies of other types of schools, including academies and free schools, by the Independent School Standards.

32. Fulfilling the new duty, we would expect the specified authorities listed above to demonstrate activity in the following areas.

Risk assessment

33. Specified authorities are expected to assess the risk of children being drawn into terrorism, including support for extremist ideas that are part of terrorist ideology. This risk will vary greatly and can change rapidly; but overall, officers and members need to understand the risk.

34. Specified authorities will need to demonstrate that they are protecting children and young people from being drawn into terrorism. This will include having robust safeguarding policies to identify children at risk, and intervention methods which are proportionate and have to consider the level of risk to identify the most appropriate referral, which could include Channel or Prevent Case Officer. Decisions on referrals will sometimes be complex and require judgement, including, for example, whether mentoring staff by children themselves – are suitable and appropriately supervised.

Working in partnership

35. In England, governing bodies and proprietors of all schools and registered childcare providers should ensure that their safeguarding arrangements take into account the policies and procedures of the Local Safeguarding Children Board (LSCB). In Wales, Local Service Boards provide strategic oversight.

Staff training

36. 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 found in books, classrooms and playgrounds. Staff should know where and how to refer children and young people for further support. Prevent awareness training will be a part of this.

Sharing information

38. Specified authorities will need to demonstrate that they are protecting children and young people from being drawn into terrorism, by having robust information sharing agreements in place to identify children at risk, and intervention methods which are proportionate and have to consider the level of risk to identify the most appropriate referral, which could include Channel or Prevent Case Officer. Decisions on referrals will sometimes be complex and require judgement, including, for example, whether mentoring staff by children themselves – are suitable and appropriately supervised.

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Working in partnership

42. Effective partnership working between parts of schools and registered childcare providers, local authorities, police and other agencies is essential. Specified authorities should be able to demonstrate that they have taken reasonable steps to prevent people being drawn into terrorism, including supporting the delivery of any relevant local multi-agency action plan.

Staff training

43. 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 found in books, classrooms and playgrounds. Staff should know where and how to refer children and young people for further support. Prevent awareness training will be a part of this.

Education and children specified authorities

44. This education and children specified authorities in Schedule 6 to the Act are as follows:

- the proprietors of maintained schools, non-maintained special schools, maintained nursery schools, independent schools (including academies and free schools) and alternative provision academies
- pupil referral units
- registered early years childcare providers
- registered childcare providers
- providers of holiday schemes for disabled children
- persons exercising local authority functions under a direction of the Secretary of State under the local authority's performing inadequately, and
- persons authorised by virtue of an order made under section 70 of the Deregulation and Contracting Out Act 1994 to exercise a function specified in Schedule 36 of the Education Act 1996.

45. Fulfilling the new duty, we would expect the specified authorities listed above to demonstrate activity in the following areas.

Risk assessment

47. Specified authorities are expected to assess the risk of children being drawn into terrorism, including support for extremist ideas that are part of terrorist ideology. This risk will vary greatly and can change rapidly; but overall, officers and members need to understand the risk.

48. Specified authorities will need to demonstrate that they are protecting children and young people from being drawn into terrorism, by having robust safeguarding policies in place to identify children at risk, and intervention methods which are proportionate and have to consider the level of risk to identify the most appropriate referral, which could include Channel or Prevent Case Officer. Decisions on referrals will sometimes be complex and require judgement, including, for example, whether mentoring staff by children themselves – are suitable and appropriately supervised.

Working in partnership

49. Effective partnership working between parts of schools and registered childcare providers, local authorities, police and other agencies is essential. Specified authorities should be able to demonstrate that they have taken reasonable steps to prevent people being drawn into terrorism, including supporting the delivery of any relevant local multi-agency action plan.

Staff training

50. 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 found in books, classrooms and playgrounds. Staff should know where and how to refer children and young people for further support. Prevent awareness training will be a part of this.

Sharing information

51. Specified authorities will need to demonstrate that they are protecting children and young people from being drawn into terrorism, by having robust information sharing agreements in place to identify children at risk, and intervention methods which are proportionate and have to consider the level of risk to identify the most appropriate referral, which could include Channel or Prevent Case Officer. Decisions on referrals will sometimes be complex and require judgement, including, for example, whether mentoring staff by children themselves – are suitable and appropriately supervised.

Health and care

52. The health and care specified authorities are as follows:

- NHS England
- NHS Trusts
- NHS Foundation Trusts
- GP practices
- Primary care providers
- Ambulance services
- Independent healthcare providers

53. These specified authorities will ensure that staff have the ability to recognise vulnerability to being drawn into terrorism and know how to refer people for support. Staff should also be able to exercise professional judgement in referring individuals to the Channel programme where they think this is appropriate.

54. Fulfilling the new duty, we would expect the specified authorities listed above to demonstrate activity in the following areas.

Risk assessment

55. Specified authorities are expected to assess the risk of children being drawn into terrorism, including support for extremist ideas that are part of terrorist ideology. This risk will vary greatly and can change rapidly; but overall, officers and members need to understand the risk.

56. Specified authorities will need to demonstrate that they are protecting children and young people from being drawn into terrorism, by having robust safeguarding policies in place to identify children at risk, and intervention methods which are proportionate and have to consider the level of risk to identify the most appropriate referral, which could include Channel or Prevent Case Officer. Decisions on referrals will sometimes be complex and require judgement, including, for example, whether mentoring staff by children themselves – are suitable and appropriately supervised.

Working in partnership

57. Effective partnership working between parts of schools and registered childcare providers, local authorities, police and other agencies is essential. Specified authorities should be able to demonstrate that they have taken reasonable steps to prevent people being drawn into terrorism, including supporting the delivery of any relevant local multi-agency action plan.

Staff training

58. 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 found in books, classrooms and playgrounds. Staff should know where and how to refer children and young people for further support. Prevent awareness training will be a part of this.

Sharing information

59. Specified authorities will need to demonstrate that they are protecting children and young people from being drawn into terrorism, by having robust information sharing agreements in place to identify children at risk, and intervention methods which are proportionate and have to consider the level of risk to identify the most appropriate referral, which could include Channel or Prevent Case Officer. Decisions on referrals will sometimes be complex and require judgement, including, for example, whether mentoring staff by children themselves – are suitable and appropriately supervised.

Prevent priority areas

60. The Home Office will continue to identify priority areas for Prevent related activity. Priority areas will, as now, be based on Counter-Terrorism Local coordinators (CTLs) assessments of the local threat and wider Home Office grant funding to support the Prevent projects and activities. The Home Office will continue to have oversight of local Prevent co-ordinators and the funding, evaluation and monitoring of Prevent projects.

Other agencies and organisations supporting children

61. We expect that other agencies and organisations providing services or in some cases, exercise functions in relation to children to have in place safeguarding policies which include, for example, children's homes and independent fostering agencies and youth offending teams. We also expect such agencies and organisations to have arrangements in place for use of statutory intervention powers. These include ensure they are part of their local authorities' safeguarding arrangements and that staff have the ability to refer children and young people for further support, and to take other appropriate, local or national safeguarding action.

62. Many children attend a range of out-of-school settings other than childcare including supplementary schools, sports clubs, cultural activities and places of worship. These can be a hugely valuable education for children and young people, helping them to understand the range of activity and settings in their areas and take appropriate and informed decisions about how they want to participate in their own free time. Safeguarding children should include considering whether children attending such settings are at risk of being drawn into extremism or terrorism. In assessing the risks posed by such settings, local authorities should consider the ability of such settings to satisfy subscribe to voluntary accreditation schemes and other evidence about the extent to which the providers are taking steps to safeguard the children in their care. Such providers should be able to show that they have taken reasonable steps to make use of the full range of services available to them to reduce the risk to children, including relevant planning and health and safety powers.

Monitoring and enforcement

63. In fulfilling its central monitoring role (section D above) the Home Office can (and will) request information from local authorities, to assist it in its assessment of performance. It will also consider work with local authority "peers" to provide broader assistance and help authorities develop good practice.

64. 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. However, if local authorities do not, the Government will consider whether the appropriateness of using existing mechanisms such as section 15 of the Local Government Act 1999. This allows the Secretary of State to specify an inspector to undertake a "comprehensive review" of the authority "where it appears that it is failing in one or more of the specified functions.

65. If the Secretary of State is satisfied that a council in England has failed to discharge its duty, she may, after giving the council an opportunity to make representations, direct the peers under Section 15 of the Local Government Act 1999 to intervene. This could include requiring the council to undertake specific actions, appointing Commissioners to take over certain functions, or ultimately, to take over all the council's functions. In Wales, the Welsh Ministers have a similar power. The Secretary of State may also instruct local inquiry to be held into the exercise by the authority of specified functions. Welsh Ministers have a power to direct a local authority in Wales to carry out its duties or discharge its "requirements" duties as set out in the Local Government (Wales) Measure 2009.

66. If the Secretary of State is satisfied that a local authority is failing to perform any function relating to education, children or children's social care to an adequate standard, she may, after giving the authority an opportunity to make representations, exercise her powers to instruct the Children's Act, and children's social care under the Education and Inspections Act 2006. Ofsted inspects local authorities to assess how well they are doing to achieve necessary improvements. In Wales, Welsh Ministers have the power to intervene in the exercise of local authority functions in Wales. Estyn, the Welsh Government inspectorate, also conducted a review in Wales (Ofsted inspectors in England). Ofsted identify inadequate practice and serious concerns about practice in relation to children's services. Ofsted will also inform the Secretary of State for Education. Inspectorate Wales (CSSIW) may a role here in relation to part-settings and children.

67. In addition to the powers above, the Act provides the Secretary of State with the power to issue a direction where a local authority has failed to discharge the duty (see paragraph 26, above).

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

61 In England about eight million children are educated in some 23,000 publicly funded and around 2,400 independent schools. The publicly funded English education system comprises maintained schools (funded by local authorities), and academies and free schools (funded by the Education Agency). In Wales, there are maintained schools, Welsh maintained schools, and there are 70 independent schools.

62. All publicly funded schools in England are required 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 in England are not required to teach the National Curriculum but they do have a duty to provide a broad and balanced curriculum. In Wales, independent schools are subject to broader requirements relating to the quality of education and to promoting the spiritual, moral, social and cultural development of pupils. In Wales, there are also duties in relation to academic (other than 16-19 academies), including free schools, as they are independent schools. 16-19 academies may have these standards imposed on them by the provisions of their funding agreement with the Secretary of State.

63. Wales, independent schools set their own curriculum, but must comply with requirements relating to the quality of education. In Wales, the curriculum must include a requirement to promote the spiritual, moral, cultural, mental and physical development of pupils.

64. Early years provision serves arguably the most vulnerable and impressionable children of society. The Early Years Foundation Stage (EYFS) prescribing outcomes clear duties on providers to keep children safe and promote their welfare. It makes clear the expectation that all early years providers have in place arrangements to safeguard and promote children's welfare. In the EYFS, the term 'safeguarding' is defined as the actions early years providers must take to protect children from harm and should be seen to harmful behaviors by other adults in the child's life.

65. Early years providers already focus on children's personal, social and emotional development (PSED) and children's understanding of the world. Early years providers in the EYFS are also aligned with the statutory ensuring children learn right from wrong, are kind and share other children and value other's views, know about similarities and differences between themselves and others, and celebrate differences attitudes and stereotypes.

66. This guidance should be read in conjunction with other relevant guidance. In England, this includes: Keeping children safe in education; Statutory guidance for Ofsted's inspections of Education and Information Sharing. The Regulatory Authority inspects these professionals providing safeguarding services to children, young people, parents and carers.

Working together to safeguard children

Keeping children safe in education

67. In Wales it should be read alongside Keeping learners safe.

68. The authorities specified in paragraph 69 below are subject to the duty to have due regard to the need to prevent people from being drawn into terrorism. Being drawn into terrorism includes not only the promotion of violent terrorism but also non-violent extremism, which can create an atmosphere conducive to terrorism and can popularise views which terrorists exploit. Schools should be safe spaces in which children and young people can understand and discuss sensitive issues, including terrorism and the extremist ideologies that are part of terrorist ideology, and learn how to challenge these ideas. The Prevent duty is not intended to limit discussion of these issues. Schools should, however, be mindful of their duties to ensure that teaching is balanced and appropriate when presentation of political issues. These duties are imposed on maintained schools by sections 406 and 407 of the Education Act 1996. Similar duties are placed on the governing bodies of other types of schools, including academies and free schools, by the Independent School Standards.

Education and children specified authorities

69. This education and children specified authorities in Schedule 6 to the Act are as follows:

- the proprietors of maintained schools, non-maintained special schools, maintained nursery schools, independent schools (including academies and free schools) and alternative provision academies
- pupil referral units
- registered early years childcare providers
- registered childcare providers
- providers of holiday schemes for disabled children
- persons exercising local authority functions under a direction of the Secretary of State under the local authority's performing inadequately, and
- persons authorised by virtue of an order made under section 70 of the Deregulation and Contracting Out Act 1994 to exercise a function specified in Schedule 36 of the Education Act 1996.

70. Fulfilling the new duty, we would expect the specified authorities listed above to demonstrate activity in the following areas.

Risk assessment

71. Specified authorities are expected to assess the risk of children being drawn into terrorism, including support for extremist ideas that are part of terrorist ideology. This risk will vary greatly and can change rapidly; but overall, officers and members need to understand the risk.

72. Specified authorities will need to demonstrate that they are protecting children and young people from being drawn into terrorism, by having robust safeguarding policies in place to identify children at risk, and intervention methods which are proportionate and have to consider the level of risk to identify the most appropriate referral, which could include Channel or Prevent Case Officer. Decisions on referrals will sometimes be complex and require judgement, including, for example, whether mentoring staff by children themselves – are suitable and appropriately supervised.

Working in partnership

73. Effective partnership working between parts of schools and registered childcare providers, local authorities, police and other agencies is essential. Specified authorities should be able to demonstrate that they have taken reasonable steps to prevent people being drawn into terrorism, including supporting the delivery of any relevant local multi-agency action plan.

Staff training

74. 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 found in books, classrooms and playgrounds. Staff should know where and how to refer children and young people for further support. Prevent awareness training will be a part of this.

Sharing information

75. Specified authorities will need to demonstrate that they are protecting children and young people from being drawn into terrorism, by having robust information sharing agreements in place to identify children at risk, and intervention methods which are proportionate and have to consider the level of risk to identify the most appropriate referral, which could include Channel or Prevent Case Officer. Decisions on referrals will sometimes be complex and require judgement, including, for example, whether mentoring staff by children themselves – are suitable and appropriately supervised.

F. Glossary of terms

Radicalisation
Extremism
Terrorism
Terrorist ideology
Terrorist groups
Vulnerability
Channel
Prevent Case Officer
Prevent Co-ordinator
Prevent Co-ordinator Team
Prevent Co-ordinator Team Leader
Prevent Co-ordinator Team Leader
Prevent Co-ordinator Team Leader

IT policies

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

Monitoring and enforcement

72. Ofsted, the Independent Police Commission, Children's Services and Skills (Children) inspectors, the police authorities in England (collectively, with the support of police primarily funded independent schools), When assessing the effectiveness of schools, colleges and other providers in their respective areas, will include in their remit, reports from the adequacy of safeguarding and extremism, and what is done when staff are suspected that pupils are vulnerable to these. Plantlamed schools are subject to Ofsted inspection, and independent schools are inspected by inspectors who are funding agreement. If they are judged to be failing to meet a significant requirement or special measures, or if they fail to take steps required by their local authority, or for persistently failing to meet the standards in the Independent School Standards regulations, as applicable, to address unacceptable standards, such as failures of management or governance or the safety of pupils or staff is threatened. In Wales, students attending schools are inspected by Estyn.

73. Ofsted inspects 16-19 academies under the Common Inspection Framework for education and skills.

74. Providing funded independent schools in England are inspected by Ofsted or one of three independent inspectorates. In Wales, Estyn inspects independent schools. If they are judged to be failing to meet a significant requirement or special measures, or subject to regulatory action by the Secretary of State for Education or the Welsh Government, which could include the registration (which would make their continued operation unlawful).

75. Early education funding regulations in England have been amended to ensure that providers of early education funding are required to have in place, or have access to, a law, individual liberty and mutual respect and tolerance for those with different faiths and beliefs as not excess funding from local authorities for the early years entitlements.

76. Ofsted, Estyn and Ofsted inspectors have to work jointly where inspection requirements in the Statutory Framework for the Early Years Foundation Stage.

The health sector

77. Healthcare professionals will need and treat people who may be vulnerable to being exploited by extremist ideologies. This may include being victims of terrorism but also non-violent extremism, which can create an atmosphere conducive to terrorism and can poisonous views which terrorists exploit.

78. They challenge the healthcare sector to ensure that, where there are signs that someone has been or is being drawn into terrorism, the healthcare worker is able to refer the matter to the Channel programme. Channel is a multi-agency support, including the Channel programme where necessary. Preventing someone from being drawn into terrorism is substantially comparable to safeguarding in other areas, such as protecting children from abuse.

79. There are already established arrangements in place, which we would expect to be built on in response to the statutory duty.

Health specified authorities

80. The health specified authorities in Schedule 6 to the Act are as follows:

- NHS England
- NHS Foundation Trusts

81. NHS England has incorporated Prevent into its safeguarding arrangements, so that Prevent awareness and other relevant training is delivered to all staff who provide services to NHS patients. These arrangements have been effective and should continue.

82. The Chief Nursing Officer in NHS England has responsibility for all safeguarding and a safeguarding lead, working to the Director of Nursing, is responsible for the oversight and management of safeguarding the Prevent programme into safeguarding procedures across the NHS.

83. Each regional team in the NHS has a lead of Patient Experience who leads on Prevent. The Patient Experience Lead is responsible for the oversight of safeguarding within their region and the Health regional Prevent coordinators (HRPCs).

84. These HRPCs are expected to have regular contact with Prevent leads in NHS commissioning bodies and NHS providers.

85. In Wales, NHS Trusts and Health Boards have CONTEST Prevent leads and part of their safeguarding arrangements. In Wales, the Health Boards are required, in conjunction with Building Partnerships Dialog Safe Issues by the Department of Health and Social Services, which provides advice to healthcare organisations on their Prevent responsibilities, and Prevent is included as part of their safeguarding responsibilities.

86. In fulfilling the duty, we would expect health bodies to demonstrate effective action in the following areas.

Partnership

87. All SA Health Bodies within the NHS should, under the NHS England Accountability and Assurance Framework, have in place our Safeguarding Partners, including local authorities, Prevent Leads, and the Local Health Board Prevent Leads, to ensure compliance with the duty, and ensure effective delivery. Within each area, the NHS are responsible for promoting Prevent to providers and commissioners of NHS services, including independent sector providers and Prevent into the policies and practices of the delivery.

88. We would expect them to be mechanisms for reporting issues to the National Prevent sub-board.

89. We would also expect the Prevent sub-board to have networks in place for their own advice and support to make effective use of the Channel programme.

90. Since April 2013 commissioners have used the NHS Standard Contract for all commissioned services. This contract sets out the Prevent responsibilities of organisations. Since that time, the Safeguarding section of the contract has required providers to embed Prevent into their delivery of services, policies and training. This should now be bedded into the relevant duty.

Risk assessment

91. We would expect the Prevent lead at Prevent level who acts as a single point of contact for the sector, regional Prevent coordinators, and who is responsible for implementing Prevent within their organisation. To comply with the duty, staff are expected, as a minimum, to: Assess the risk of patients being drawn into terrorism, including being exposed to the Prevent lead who may refer a patient to the Channel programme. Mental health Prevent coordinators are able to provide advice and support to staff in respect of Prevent. Health is a member of the Wales Contest Board and similar arrangements in Wales.

Staff training

92. The non-prescriptive guidance, Safeguarding Children and Young people: roles and competencies for health care staff includes Prevent information and identifies competencies for all healthcare staff appropriate to each.

93. The training should allow all relevant staff to recognise vulnerability to being drawn into terrorism and be able to refer concerns appropriately. Staff should be aware of what terrorism and are (or terrorist) groups, including extremist ideas which are used to legitimise terrorism and are shared by terrorist groups, and be aware of what action to take in response. This training should enable staff to understand what it means to make referrals to the Channel programme and how to receive additional advice and support regarding Prevent.

94. It is important that staff understand how to balance patient confidentiality with the duty. This should also be made aware of the information sharing agreements in place for sharing information with other sectors, and get advice and support on information sharing where a Prevent concern is suspected. Guidance on how to being drawn into terrorism, either during informal contact or consultation and treatment.

95. We would therefore expect providers to have in place:

- Policies that include the principles of the Prevent NHS guidance and leaflet, which can be found at Delivering Prevent, Delivering Safety in Healthcare Organisations
- A programme to deliver Prevent training, resourced with accredited facilitators.
- Arrangements to ensure that all staff receive appropriate training, and that Prevent awareness training appropriate to their roles and grade.
- Procedures to comply with the Prevent Training and Competencies Framework.

Monitoring and enforcement

96. Within the NHS, we expect local safeguarding forums, including local Safeguarding Children Boards and NHS Services to have oversight of training the duty and ensuring effective delivery.

97. Ofsted, Thereby is the sector regulator for health services in England ensuring that independent NHS Foundation Trusts are held and to that they can provide quality care on a sustainable basis. The Trust Development Authority is responsible for monitoring NHS Foundation Trusts. Ofsted and the Trust Development Authority are independent health and social care regulator that ensures these services provide people with safe, effective and high-quality care. In Wales, the Healthcare Inspectorate Wales (HIW) is responsible for the inspection and review of healthcare services to provide monitoring arrangements. We will work with the Welsh Government to ensure this arrangements is Wales.

98. We would expect these internal arrangements are relevant enough to effectively monitor compliance with the duty or whether the duty should be incorporated into the wind and inspection regimes of one of the existing health regulatory bodies or another body.

Prisons and probation

99. As an executive agency of the Ministry of Justice, the National Offender Management Service (NOMS) is responsible for protecting the public and reducing re-offending through delivery of prison and probation services.

100. There are 121 prisons in England and Wales including 14 prisons operated under contract by private sector organisations. There are around 85,000 prisoners in custody and around 2,000 young people in custody in secure children's homes.

101. Probation services are delivered by the National Probation Service (NPS) and 21 supervision high risk and other serious offenders, and 21 Community Rehabilitation Companies (CRCs) which are responsible for the supervision of low and medium risk offenders responsible for around 220,000 offenders under probation supervision, subject either to community sentences or to licence conditions after release from custody.

102. This responsibility for public protection and reducing re-offending goes both prisons and probation services a clear and important role both in working with offenders in custody and in the community to challenge their behaviour and support offenders from being drawn into terrorism and the extremist ideas that are used to legitimise terrorism and are shared by terrorist groups.

Criminal justice specified authorities

103. The criminal justice specified authorities listed in Schedule 6 to the Act are as follows:

- prisons and Young Offender Institutions (YOI), including those that are contracted out;
- the under-18 secure estate (Under-18 YOI, Secure training centres and Secure Colleges);
- secure training centres;
- the National Probation Service; and
- Community Rehabilitation Companies.

Privacy

104. The NOMS manages the risk of offenders being drawn into, or rewarding, by any form of offending as part of its core business (identifying and managing the risks posed by offenders).

105. To comply with the duty we would expect public and contracted out prisons to carry out activity in the following areas:

Preliminary risk assessment

106. Prisons should perform initial risk assessments on reception, including safe sharing of information between agencies, including the police, and information management relating to duty of prison/escort, to the staff based, prison/right, extremism, and right, the left extremism or any new emerging trends.

107. Contact with prisons chaplaincy should take place, as an integral part of the reception process, and be used to identify those who may be at risk of being drawn into, including prisoners, and assessment, should be repeated throughout the sentence.

108. Prisoners should have regular contact with trained staff who will report on behaviours of concern.

109. Appropriate information and intelligence sharing should take place, for example with law enforcement partners, to understand whether extremism is an issue and to identify and manage attempts of concern.

Assessing ongoing risk and interventions

110. Risk assessments should be reviewed, in a second-related offences, maximum offender management processes will be used to determine whether interventions are necessary. These are intended to challenge the indoctrination and can include, where appropriate, intervention disruption and relocation.

111. Where concerns around someone being drawn into terrorism (which includes extremist ideologies which are used to legitimise terrorism and are shared by terrorist groups) are identified, either while they are being kept in custody or after, prison staff should report accordingly. through the intelligence reporting system. All such information should be shared with the Prevent Coordinator in the Prison Service.

112. Where such concerns are identified an assessment should be made of the individual. This could take the form of moving them away from a negative influence or putting them into mentoring from the relevant chaplaincy or Prevent coordinator, as possible.

113. Management actions could also include a reduction in privilege, and/or disciplinary intervention, adjudication or segregation. Alternatively, it may be appropriate to provide theological, motivational and behavioural interventions.

114. Intelligence and intelligence gathering is important in ensuring safe terrorist and extremist prisoners and those at risk of being drawn into terrorism should continue to be managed safely and securely. Prisons and probation providers will need to work appropriately formal prison staff and police, and will be updated as required. In complying with this duty, extremism awareness training provided to new staff should be reviewed.

Transition from custody to supervision in the community

115. Prisons and probation providers will need to ensure that supporting those subject to sentences less than 12 months, who will now receive some level of probation supervision. Prisons, probation providers and the police should consider what risks may be posed by offenders being released into the community. Prisons and the custody estate provide a vulnerability to being drawn into terrorism. Where this is the case, a Channel referral will be considered as part of the risk management plans and information should be shared with the receiving probation provider.

116. Any offender already convicted of terrorism or terrorism-related offences, prisons will complete appropriate pre-release processes such as Multi-Agency Public Protection Arrangements (MAPPA) and Multi-Agency Risk Assessment Conferences (MARAC). These processes ensure that the requirements of the duty are met in the management of terrorist offenders in the community with the NPS the lead agency in MAPPA for such cases.

117. For all prisoners, where sufficient remaining sentence time permits, a formal risk assessment should be completed. Where a Channel intervention is in place, prisons should make plans to inform decisions after release. This will ensure that partner agencies work together to share relevant information and put provision in place to manage the risk. Where a Channel intervention is not in place, the Counter-Terrorism Temporary Liaison, Home Detention Curfew as well as exemplar release or licence.

118. Where insufficient time remains, police and probation staff should be given full access to the Prison Intelligence Management System. This will enable the probation to make an informed decision about the probation provider in the community in receipt of the information, the roles and relevant personnel within partner agencies.

Staff training

119. In complying with the duty, we would expect all new prison staff to receive Prevent awareness training (national specifically to the prison environment). For staff working in post, this should be provided through specialised training and briefing packages that are tailored to the prison environment. Staff who are in direct contact with prisoners and with the police and be available to those members of staff who want more in-depth and terrorist and identified extremist prisoners. All staff should have an understanding of the Prevent agenda and be able to recognise and report any concerns. Prisons and probation providers will need to ensure that sufficient training is provided to extremism messaging.

Under-18 secure estate

120. The under-18 secure estate offers in terms of governance and service provision to that of the prisons and probation services for adults.

121. The Youth Justice Board (YJB) has a statutory responsibility to commission secure services for children and young people under the age of 18 and has a statutory duty to monitor secure. If young people sentenced or remanded by the courts into secure establishments.

The under-18 secure estate consists of:

- Secure children's homes (SCH) Secure children's homes are run by local authority children's services, overseen by the Department of Health and the Department for Education. They are for children who are vulnerable and who are generally small facilities, ranging in size from six to thirty places.
- Secure Training Centres (STC) Secure training centres are purpose-built centres for young offenders and including the age of 12 and 17 and are run by private companies or voluntary sector organisations. There are currently three STCs in England.
- Young Offender Institutions (YOI) Young offender institutions are for young offenders aged 15 to 18 years in the private sector and can accommodate 15 to 21 year old male offenders.

121. We would expect that staff, such as social workers and Youth Offending Teams (YOT) overseeing the care of the child or young person would receive appropriate training in identifying and managing those at risk of being drawn into terrorism.

123. As part of the ongoing care and monitoring of each child or young person, any indication of risk should be identified and referred through the Channel Panel.

Probation

124. To comply with the duty we would expect all providers of probation services, particularly the National Probation Service (NPS) and Community Rehabilitation Companies (CRCs) to demonstrate that they are delivering activities under all of the following categories.

Leadership

125. We would expect every NPS division to have a designated probation counter-terrorism lead (CTL) to provide the strategic lead and to ensure appropriate processes for identifying, assessing and managing high risk terrorist offenders are followed. We would expect PCTLs to provide a consultative role to CRCs.

Partnerships

126. In a partnership working we would expect that all providers of probation services will comply with the duty, for example both the NPS and CRCs are partners in local Prevent delivery structures. We would also expect the National Probation Service and probation providers to work together with other partners to share information and develop joint referrals and interventions.

Risk assessment

127. We would expect probation staff to adopt an investigative stance in undertaking risk assessments. Probation staff should be aware of the need to be alert to any may be intelligence tell, about someone being at risk of being drawn into terrorism this should initially be recorded in the case risk management.

128. Additionally, we would expect ongoing risk assessment processes to be supplemented by specialist assessments, for example, extremism risk screening. We would expect CRCs to provide a consultative role to CRCs in dealing with offenders.

129. For offenders already convicted of terrorist or terrorist-related offences, we would expect the NPS to take the lead in managing the risk posed by offenders in the community. In a manner any risk identified via MAPPA will provide bespoke interventions where relevant. For offenders who have not been convicted of a terrorist-related offence, but who are at risk of being drawn into terrorism, we would expect the NPS to share this information, we would expect probation providers to have in place a process to escalate these cases to other agencies or otherwise refer the offender for appropriate intervention – for example to the Channel programme.

Staff training

130. We would expect probation providers to ensure that all staff receive appropriate training and managing those at risk of being drawn into terrorism this should include those with extremist ideas that can be used to legitimise terrorism and are shared by terrorist groups. We would expect probation providers to ensure that probation staff in secure gaols. In complying with this duty, we expect the use of the relevant Prevent training to continue.

131. In the future, we expect Prevent awareness training to be included within the Probation Qualification Framework, which is complemented by more bespoke probation training. We would also expect that all staff receive appropriate refresher training. For example, Safe awareness or Extremism Risk Screening training of local training or staff development to supplement the Prevent awareness training. This should focus on emerging issues and new support and intervention that become available.

Monitoring and enforcement for prisons and probation

132. The National Offender Management Service and the duty to be monitored and enforced internally by:

- mandatory compliance with Prison Service Instructions and Orders which define policy and best practice; and
- regular assessment of levels and risk of extremism and radicalisation internally via regional counter-terrorism co-ordinators.

133. Externally, our performance is to set existing inspection regimes where appropriate to monitor the effectiveness of the duty. For example, the Ofsted of Prisons and Probation Joint Inspectorate is the monitoring arrangements collected under.

134. For probation providers, internally, we would expect compliance with the duty to be monitored and enforced internally by the National Probation Service (NPS) and to be contractually required to comply with the mandatory actions in relevant Probation Instructions and a similar requirement exists for the NPS in Service Level Agreements. Externally, we would expect the duty to be monitored and enforced via contract management and audit functions within NOMS and the Ministry of Justice.

135. Externally, we consider that a thematic inspection by HM Inspector of Probation could be a useful addition to the monitoring and enforcement process.

136. The 118 mentions the Ofsted yearly grades through the Youth Justice system identifying the needs and behaviours of young offenders working closely with local partners to impacts the support available.

The police

137. The police play an essential role in most aspects of Prevent work alongside other agencies and partners. They hold information which can help assess the risk of individuals being drawn into terrorism and can disrupt terrorist activity. Such activity includes not just violent extremism but also non-violent extremism, which can create an atmosphere conducive to terrorism and can poisonous views terrorists exploit, which are used to legitimise terrorism and are shared by terrorist groups. We expect the delivery of Prevent partnerships and safeguarding functions. In fulfilment of their statutory responsibilities to ensure that the police are fulfilling their role in ensuring that local police commanders and police officers are aware of the local Prevent priorities and understand exactly what they can do to contribute to the overall delivery of Prevent.

138. The police are uniquely placed to handle terrorism and which it is acknowledged that the Police Service will designate dedicated Prevent roles within Policing, a key part of the role of the police is to work with other agencies and partners in local policing, neighbourhood and safeguarding functions. In fulfilment of their duties consideration must be given to the use of suitable police resources, not just those specifically designated Prevent.

Police specified authorities

139. The police specified authorities listed in Schedule 6 to the Act are as follows:

- police forces in England and Wales;
- the British Transport Police;
- the British Transport Police;
- port police forces; and
- the Civil Nuclear Police Authority.

140. In fulfilling the new duty we would expect the police to take action in the following areas. Prevent lead: and local delivery structures.

141. In complying with the duty, police should engage and where appropriate drive Prevent partnerships and safeguarding functions. Police should also ensure that Prevent projects are based and sustained within the local and wider community working in this country. Officers should encourage the full range of neighbourhood and community policing teams to be involved in Prevent delivery, including the use of public order powers where appropriate. They may include:

- Enforcing terrorist proscription and public order legislation.
- Working with local authorities to consider municipal powers, including local authority powers to close premises in the interest of young people legislation.
- Advising other partners on how to use their powers to disrupt terrorist activities, to develop wave blocking processes and good practice.
- Lawfully disrupting or attending events involving extremist speakers in both private and public venues.
- Providing high visibility police presence at relevant events in public places.

Supporting vulnerable individuals

142. Prevent requires a multi-agency approach to protect people at risk from radicalisation. When vulnerable individuals are identified the police will undertake the following.

- In partnership with other agencies including the local authority, consider appropriate intervention to divert individuals from being drawn into terrorism or terrorism and enforcing legislation where illegal offences are identified.
- Supporting opportunities to develop community challenges to extremism, and promote the wider prevention agenda, including the use of the Police and Crime Commissioner and partners to identify and respond to emerging concerns.

Monitoring and enforcement

143. The Strategic Policing Requirement makes clear that Police and Crime Commissioners (PCCs) must ensure that their local policing plans are fully contributed to the government's counter terrorism strategy (CONTEST). This includes the Prevent programme. When they are required to take into account the Home Secretary's Strategic Policing Requirement. The Home Secretary has the power to intervene in cases where PCC fail to take specific action to address a specific failure.

144. HM Inspectorate of Constabulary (HMIC) is the statutory body for inspecting the police service. HMIC's inspection programme and can be asked to inspect a particular force or theme by the Home Secretary.

F. Glossary of terms

- Having due regard: means that the authorities should take an appropriate amount of weight on the issues to prevent people being drawn into terrorism when they exercise their functions, taking into account the risk of people being drawn into terrorism.
- Extremism: is defined in the 2011 Prevent strategy as vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance for those with different faiths and beliefs. We also use definition of extremism made by the Government in our Prevent strategy, whether in this country or overseas:
- Radicalisation: refers to the process by which people come to support terrorism and extremist ideologies associated with terrorist groups.
- Safeguarding: is the process of protecting vulnerable people, whether from crime, other forms of abuse or (in the context of this document) from being drawn into terrorism/extremist activity.
- Terrorism: is defined in the Terrorism Act 2000 (TA 2000) and in the Terrorism Act 2006 (TA 2006) as an action that endangers or causes serious violence to a person/people/ causes serious damage to property/ or seriously disrupts or shuts down a public utility/ or frightens the public. The action is designed to influence the government or to intimidate the public and is made for the purpose of advancing a political, religious or ideological cause.
- Terrorist-related offences: are those offences (including attempt and not offences in terrorist legislation) but which are offences committed in relation to terrorism.
- Vulnerability: describes the condition of being capable of being injured; difficult to deal with; or susceptible to being hurt, influenced or led astray. Vulnerability factors and characteristics associated with being susceptible to radicalisation.

1. Schools Census results on Wales.gov.uk.
2. Keeping Learners Safe includes advice on radicalisation on page 57.
3. Counter-Terrorism and Security Act 2015 (Commencement) (Wales) Regulations 2015 Welsh Government Circular and mandatory statutory guidance is referenced by the governing body of the school.
4. Including early years and other pre-compulsory provision in schools that is exempt from registration under the Childcare Act 2006.

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