

Subject:	Prevent: New Statutory Duty		
Date of Meeting:	5 of October 2015		
Report of:	Director of Public Health		
Contact Officer:	Name:	Nahida Shaikh, Prevent Coordinator	Tel: 290584
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Ward(s) affected:	All		

NOT FOR PUBLICATION

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 The new general '[Prevent Duty](#)', created by the Counter Terrorism and Security Act, 2015 commenced on 1st July 2015 for the local authority and other statutory partners¹. The purpose of this report is to identify its implications on our work, risk management and actions needed to achieve compliance.
- 1.2 The report relates to the Prevent Strategy, the Action Plan, and the work of the Community Safety Partnership. The priorities and performance indicators are reflected within the corporate plan.

2. RECOMMENDATIONS:

- 2.1 The NCE note the requirements of the Prevent Duty and the resource implications with respect to staff training and extending safeguarding and the Prevent Duty arrangements for out-of-school educational and childcare settings.
- 2.2 The NCE note that a 'Prevent Action Plan' responding to risks and priorities, setting out the work programme and performance framework will be taken to the Prevent Board in its October meeting.
- 2.3 The NCE note the resource implications for Prevent projects.
- 2.4 The NCE note the requirement for an overall communication plan.
- 2.5 The report is referred to the Full Council for noting and copy is sent to all committee chairs.

3. CONTEXT/ BACKGROUND INFORMATION

Threat Level to the UK and Risks For the City

- 3.1 The threat level to the UK from international terrorism was raised to 'Severe' (meaning 'an attack is highly likely') on 29th August 2014 and remains such². The increased threat has been driven by developments in Syria and Iraq. Specific concerns related to those returning from fighting in Syria and Iraq and

¹ The Duty became effective for the FE/ HE sectors (Colleges and Universities) on Friday 18th September 2015 and specific statutory guidance has been published for these sectors.

² Threat levels are subject to change as new information becomes available. See up to date information: <https://www.mi5.gov.uk/home/about-us/what-we-do/the-threats/terrorism/threat-levels.html>

the potential risk that a terrorist group will have asked them to conduct attacks or that they may engage in such acts on their own initiative.

- 3.2 The National [‘Prevent Strategy’](#) addresses all forms of terrorism and some aspects of non-violent extremism. However, work is prioritised according to the threat they pose to our national security. Currently the government identifies that the most significant threat comes from terrorist organisations in Syria and Iraq and *Al-Qaida* associated groups. The Government identifies that right-wing extremists/ terrorist also pose a threat.
- 3.3 Threats are continually evolving. National reports suggest continued campaign by terrorist organisations to encourage travel to Syria or conflict zone, also seen in travel by a small number of young women nationally. Threats from lone actors (such as Lee Rigby murder in May 2013) are difficult to predict and disrupt. Internet has emerged as an important enabler and social media has been particularly influential in drawing vulnerable individuals into terrorist related activities. Some risks are less well defined, such as, the extent of fund-raising and its links with extremist activities in the city.

Prevent Duty

- 3.4 The Counter Terrorism and Security Act, 2015 has introduced new statutory Prevent Duty which requires specified authorities (including local authorities) to have due regard to the need to prevent people from being drawn into terrorism (please see the appended briefing).

Channel Duty: Information Sharing, Assessment and Support

- 3.5 The Counter Terrorism and Security Act, 2015 has also placed current ‘Channel’ arrangements to support people from being drawn into terrorism on a statutory footing. The Channel Duty on local authorities has commenced from 12th April 2015.

Prevent and Channel Duties: Summary of Key Issues

- 3.6 The Safe In The City Partnership (SITCP) and the Community Safety Team has led on the delivery of Prevent work since 2009 and this is reflected as a priority in the Community Safety Strategy and action plan.
- 3.7 The Prevent Duty has strengthened some existing provisions (or work already being carried out) and has also introduced some new requirements.
- 3.8 A Prevent Board (part of the SITCP) was set up in June 2015 to regularly assess threats, risks and vulnerabilities referenced in the Counter Terrorism Local Profile (created by Sussex Police) and through local engagement with partners and communities. The Prevent Board, led by the Chief Executive of the council, is the co-ordinating and oversight body, tasked with ensuring full compliance with these duties.
- 3.9 The ‘Channel’ programme provides a structure and process in the City to identify, assess and support individuals vulnerable to being drawn into terrorism. Our Channel arrangements are already in place and comply with the legal (statutory guidance) and best practice requirements. The Channel meetings are held monthly chaired by Prevent Coordinator (local authority required to chair and

support), with a good buy-in and co-operation from partners. The nature of threat and our responses to them are wide and varied.

- 3.10 Channel arrangements sit alongside and are integrated with the wider safeguarding arrangements, as necessary. New work is needed to extend those arrangements to include adults and Safeguarding Adults Board.
- 3.11 With additional resources from the Home Office in the current financial year, dedicated Prevent Coordinator has been appointed. Projects that respond to identified strategic needs and engage with young people, women and institutions are in various stages of planning and delivery.
- 3.12 **To achieve compliance, action on the following key priorities is required.**
- a clear partnership structure to assess threats and risks, develop and implement an action plan proportionate to identified risks and flexible to respond to emerging risks,
 - skilled and confident workforce capable of recognising, referring and supporting individuals and communities,
 - a 'due diligence' process to manage events and speakers and prevent use of public resources for extremist purposes,
 - promotion of the Prevent Duty through existing policies, commissions, contracts, and a communication plan
 - safeguarding children from risk of radicalisation in out-of-school educational and childcare settings
 - effective dialogue with communities to create resilience
 - effective monitoring of outcomes, impact of work and compliance with the Duty
- 3.13 **Some Required Actions** (please also refer to the appended table):
- i. Incorporate Prevent training within the core learning for Children and Adult Safeguarding as well as corporate learning. Prioritise training of trainers across partners/ teams to increase capacity. Recruitment of a part time community engagement (and training) officer will help increase capacity.
 - ii. Standard clause referencing Prevent (and Equality) Duties to be added into new commissions and contracts and at the point of review/ renewal. Monitoring and enforcing these across our commissioned and contracted services may be a challenge.
 - iii. Integrate Prevent Duty into existing policies (safeguarding, ICT), new work will be needed to extend these to safeguarding adults arrangements.
 - iv. A corporate 'Due Diligence' process covering the council's engagements, partnership working, and a 'No Platform' policy for the city (meaning that our funding, venues, resources etc. will not provide platform for extremist activities/ messages).
 - v. Effective dialogue with communities, developing community capacity and resilience by creating credible voices and community spokespeople.
 - vi. Strategic engagement and communication with vulnerable people and communities so they understand 'Prevent' programme, refer individuals for support and report other concerns.

- vii. Identify a lead, scope the extent of work required in mapping out-of-school educational and childcare settings³, assess feasibility, and develop options.
- viii. An overall communication plan to enable us to achieve our strategic objectives and outcomes.

3.14 Some Considerations with Regard to Extremist Speakers' Policy

- i. We need to develop and communicate a clear and shared understanding amongst partners and communities to define issues, risks from extremist speakers/events, and plans to manage those risks.
- ii. Communications and scrutiny will be crucial in balancing this element of the Duty against the rights to freedom of speech, provisions of Equalities Act, 2010, provision of safe spaces to debate/ discuss, and sustain trust and confidence particularly amongst the Black & Minority Ethnic (BME) communities.
- iii. As the understanding and use of extremist speakers is embedded within local authority and partners owned and managed venues, we need to be cognisant of and manage the risk of extremist speakers and events being displaced onto private and other community venues within the city. Adopting a two-pronged approach and providing leadership to create city wide headline messages around 'no platform policy' and supporting 'credible voices' or community spokespeople will be useful management strategies which will also empower communities.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS - NA

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 National consultations had taken place on the Prevent Duty from December 2014 to January 2015.
- 5.2 We have facilitated a community member to attend the National ACPO (Association of Chief Police Officers) 'Prevent Challenge Panel' that enables community members from across the UK to raise issues regarding Prevent delivery, issues are fed to the Home Office and ministers. The community member has also reported back from the Prevent Challenge Panel meeting to communities at the 'One Voice' meeting.
- 5.3 Need for projects that will increase the capacity of communities to understand and address online safety and radicalisation as well as engage young people were identified by the communities.

6. CONCLUSION

- 6.1 The actions outlined here will help achieve compliance with new statutory Prevent and Channel duties, improve our responses to reduce risks and harm caused to individuals and communities and increase resilience to extremism and terrorism.

³ There is also a tension between local authority powers (such as the right to see a home schooled child), legal provision (these settings are not currently regulated under the education law), and the Duty requirements, which will need to be considered and managed.

- 6.2 The BHCC and partnership resources will need to be harnessed to effectively deliver Prevent projects and action plan to address identified and emerging risks in a proportionate manner in partnership with communities.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 Existing provisions such as 'best value duties' (Local Government Act) can be used to monitor and enforce actions to comply with the Prevent Duty. The monetary assistance from the Home Office is subject to future risk assessment and lack of progress will have financial implications. A full understanding of resource requirements will develop through the year.

Finance Officer Consulted: Nigel Manvell

Date: 9/7/2015

Legal Implications:

- 7.2 Recommended actions will help comply with the Prevent Duty, which also has links with other responsibilities under the Equality Act (section 149) and safeguarding.
- 7.3 The Prevent Duty will be monitored by the Home Office and within existing inspection frameworks (Ofsted, HMIC). Existing legal provisions such as the Education Act 1996 can also be used to direct action to bring about compliance. Non-compliance will therefore have legal implications.

Lawyer Consulted: Elisabeth Culvert

Date: 9/7/2015

Equalities Implications:

- 7.4 We intend to incorporate Equalities and Prevent duties together in the existing policies, commissions and contracts. A separate equality impact assessment has not been carried out.

Sustainability Implications:

- 7.5 Actions to achieve compliance are also expected to mainstream Prevent work and increase consistency in our responses.

Crime & Disorder Implications:

- 7.5 Supporting individuals at an early stage and diverting them from risk and illegality is likely to have positive impact on reduction of crime and anti-social behaviour and increase trust and confidence.

Appendices:

1. Information about the new statutory duties created by the Counter Terrorism and Security Act, 2015.
2. Table of actions required to achieve compliance with Prevent Duty

