

SUBJECT:	The Consultation Response to the Draft Prevent (Prevention of Violent Extremism) Guidance
REPORT OF:	<i>Head of Health & Housing</i>
RESPONSIBLE OFFICER	<i>Head of Health & Housing</i>
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WARD/S AFFECTED	<i>All</i>

1. Purpose of Report

To advise members on the proposed duty on local authorities, *to have “due regard to the need to prevent people from being drawn into terrorism” and the draft guidance that is emerging from the Home office.*

RECOMMENDATION

That Members note the report.

2. Executive Summary

The Counter-Terrorism and Security Bill seeks to place a duty on local authorities *to have “due regard to the need to prevent people from being drawn into terrorism”* and *to have due regard* to guidance issued by the Secretary of State.

The report identifies the obligations the guidance will place on the Councils’ and the current action that has been taken. The report also presents a copy of the Councils reply to the guidance.

3. Reasons for Recommendations

Summarise why the recommended option is the preferred option or action required.

4. Content of Report

New Duty

1. Section 21 of the Counter-Terrorism and Security Bill if enacted will place a duty on local authorities, *to have “due regard to the need to prevent people from being drawn into terrorism”*. In carrying out this duty, local authorities must have regard to guidance issued by the Secretary of State which is the subject of consultation at the current time.
2. The guidance will apply to local authorities (both District and County Councils), schools, further and higher education institutions, the NHS, the police, prison and young offender institution governors, and providers of probation services
3. The aim of the guidance is to Prevent people from becoming terrorists or supporting terrorism and it requires bodies to challenge extremist ideas where they are being used to legitimise terrorism

Prevent strategy

4. The *Prevent* strategy has three specific strategic objectives:
 - i. Respond to the ideological challenge of terrorism and the threat we face from those who promote it;
 - ii. Prevent people from being drawn into terrorism and ensure that they are given appropriate advice and support; and
 - iii. Work with sectors and institutions where there are risks of radicalisation that we need to address.
5. The *Prevent* strategy was explicitly changed in 2011 to deal with all forms of terrorism and target not just violent extremism but also non-violent

extremism.

6. The most significant of these threats is currently from Al Qa'ida associated groups and from other terrorist organisations in Syria and Iraq. But terrorists associated with the extreme right also pose a continued threat to our safety and security
7. In complying with the duty all local authorities (in two tier areas County and District Councils), should demonstrate an awareness and understanding of the risk of radicalisation in their area, institution or body. *It is currently understood that the risks of radicalisation in Chiltern and South Bucks are considered low.*
8. There are three themes throughout the sector-specific guidance: **effective leadership, working in partnership and appropriate capabilities**

Leadership

9. The guidance expects that authorities will demonstrate leadership through:
 - i. Establishing or use existing mechanisms for understanding the risk of radicalisation;
 - ii. Ensuring staff understand the risk and build the capabilities to deal with it;
 - iii. Communicating and promote the importance of the duty; and
 - iv. Ensuring staff implement the duty effectively.

Partnership

10. 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. *In Buckinghamshire the County and District Councils have established a multi-agency Prevent Partnership that reports to the Safer Stronger Bucks Partnership and to the district level Community Safety Partnerships.*

Capabilities

11. Frontline staff who engage with the public should understand what radicalisation means and why people may be vulnerable to it. They need to be aware of what we mean by the term "extremism" and the relationship between extremism and terrorism.
12. 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.

13. 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.
14. 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). People suspected of being involved in terrorism related activity should be referred to the police.
15. All front line staff will be asked to complete the online [Prevent](#) training module which raises awareness on the radicalisation process and how to refer to the Channel programme.
16. 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. *The online module will enable records to be produced. In addition the shared Community Safety team produces Community Impact Assessments in relation to community cohesion matters which can be informed by engagement with Prevent coordinators, schools, universities, colleges, local prisons, probation services, health, immigration enforcement and others.*

Monitoring

17. The Home Office currently oversees the monitoring of *Prevent* activity in local areas which have been identified as priorities for this programme and will provide central monitoring for the new duty. *Whilst not a priority area CDC and SBDC links in to this monitoring via the local Prevent co-ordinator and receive regular updates on the risk level via TVP.*
18. Central support and monitoring will be supported by existing inspection regimes in specific sectors. Not every specified authority has a suitable inspection regime and in some areas it may be necessary to create or enhance existing regimes. *CDC and SBDC are not currently monitored through and inspection regimes and it is likely that inspection will occur as part of monitoring of the Police or Safeguarding Boards or through an internal audit role.*

Action plan

19. Local authorities should develop a *Prevent* action plan to enable it to comply with the duty and address whatever risks have been identified. In two-tier areas, county and district councils will need to agree proportionate arrangements for sharing the assessment of risk and for agreeing local *Prevent* action plans. *Chiltern and South Bucks could*

develop an action plan linked to the Community Safety Partnership plan and monitored through the Community Safety partnership.

20. These 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. Projects could include linking with faith institutions and local schools and could include the development of staff training.
21. In complying with the duty the guidance expects that
 - a. local authorities ensure that publicly-owned venues and resources do not provide a platform for extremists and are not used to disseminate extremist views. This includes considering whether IT equipment available to the general public should use filtering solutions that limit access to terrorist and extremist material. *The Councils' will work with community organisations managing council venues to ensure compliance with this requirement*
 - b. That organisations who work with the local authority on *Prevent* are not engaged in any extremist activity or espouse extremist views. *The Councils' may need to review the Grant conditions to ensure public funds are not being used to support such activity.*
22. The Home Office will identify up to 50 priority areas for *Prevent*-related activity and assist with funding to employ a local *Prevent* co-ordinator or support *Prevent* projects and activities. Whilst Chiltern and South Bucks may not access funding for a *Prevent* co-ordinator, Home Office funding may be made available for projects and activities.
23. Many children attend a range of out-of-school settings including after school clubs and groups, supplementary schools, and tuition centres to support home education. These settings are not regulated under education law. However the guidance suggests that Local authorities should take steps to understand the range of activity and settings in their areas and ensure that children attending such settings are properly safeguarded (which should include whether there are any risks related to *Prevent*). In assessing the risks associated with such settings, local authorities should have regard to the whether the settings subscribe to voluntary accreditation schemes and any other evidence about the extent to which the providers are taking steps to safeguard the children in their care. Where safeguarding concerns arise, local authorities should actively consider how to make use of the full range of powers available to them to reduce the risks to children, including planning and health and safety powers. *A review of the grant conditions may be required to direct organisations receiving funding from the Council to join an accreditation*

scheme or to demonstrate compliance with various statutory or licensing requirements e.g. health and safety.

5. Consultation

The consultation sought responses on specific consultation questions. But more generally, they sought views on the practicality of the guidance, what other measures could proportionately be taken to comply with the duty, any examples of existing good practice, and any opportunities and barriers to implementation

The consultation will run for a period of 6 weeks and considered responses received up until noon on Friday 30 January 2015. A copy of the joint response from the Districts and Buckinghamshire County Council is detailed in Appendix 1.

6. Options

All options should be identified and explored with a justification for the preferred option. This needs to relate back to the recommendation.

7. Corporate Implications

Reports must include specific comments addressing the following implications;

3.1 Financial –

The Council currently works with communities to build strong and cohesive communities and support applications for funding to deliver integrated projects through community funding. It is not envisaged that additional resources are required at this time.

3.2 Legal

The proposed Bill will place a new duty on the Council, however the Community Team and Community safety teams have been working to support Community Cohesion through the current Community Cohesion Plan

3.3 Supporting; Crime and Disorder, Environmental Issues, ICT, Partnership, Procurement, Social Inclusion, Sustainability

The new duty directly links to the Councils Section 17 duty of the Crime and Disorder Act; to consider crime and disorder activities in delivering its day to day activities

8. Links to Council Policy Objectives

The Prevent duty will support the Councils objective of 'Working towards safe and healthier local communities'

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9. Next Step

The Council will develop a Prevent Action Plan in accordance with the guidance

Chiltern District Council

Background Papers:	It is a legal requirement that we make available any background papers relied on to prepare the report and should be listed at the end of the report (copies of Part 1 background papers for executive decisions must be provided to Democratic Services)
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<https://www.gov.uk/government/consultations/prevent-duty>