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Revised Prevent duty guidance: for England and Wales

Updated 1 April 2021

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

A. Status and scope of the duty

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

1. Section 26 of the Counter-Terrorism and Security Act 2015 (the Act) places a duty on certain bodies ("specified authorities" listed in Schedule 6 to the Act), in the exercise of their functions, 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 the provisions 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. Counter terrorism is the responsibility of the UK Government. However, many of the local delivery mechanisms in Wales and Scotland, such as health, education and local government, are devolved. We will ensure close cooperation with the Scottish and Welsh Governments in implementing the Prevent duty where there are 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 being drawn into terrorism when they consider all the other factors relevant to how they carry out their usual functions. This 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 the threat to the UK from terrorism by stopping people becoming terrorists or supporting terrorism. In the Act this has simply been expressed as the need to "prevent people from being drawn into terrorism".

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 extremist ideology, developed by extremist organisations. Some people who join terrorist groups have previously been members of extremist organisations and have been radicalised by them. The Government has defined extremism in the Prevent strategy as: "vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. We also include in our definition of extremism calls for 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 atmosphere conducive to terrorism and can popularise views which terrorists then exploit. It also made clear that preventing people becoming terrorists or supporting terrorism requires challenge to extremist ideas where they are used to legitimise terrorism and are shared by terrorist groups. And the strategy also means intervening to stop people moving from extremist (albeit legal) groups into terrorist-related 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 Qa'ida associated groups. But terrorists associated with the extreme right also pose 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 the uncompromising belief that people cannot be both Muslim and British, and that Muslims living here should not participate in our democracy. Islamist extremists specifically attack the principles of civic participation and social cohesion. These extremists purport to identify grievances to which terrorist organisations then claim to have a solution.

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

12. In fulfilling the duty in section 26 of the Act, we expect all specified authorities to participate fully in work to prevent people from being drawn into terrorism. How they do this, 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 in Schedule 6 to the Act are those judged to have a role in protecting vulnerable people and/or our national security. The duty is likely to be relevant to fulfilling other responsibilities such as the duty arising from section 149 of the Equality Act 2010.

13. This guidance 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 information on how compliance with the duty will be monitored. Sector-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 awareness and understanding of the risk of radicalisation in their area, 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, all specified authorities will need to give due consideration to it.

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

Leadership

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

- estalish 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 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.

Capabilities

18. Frontline staff who engage with the public should understand what radicalisation means and why people may be vulnerable to being drawn into terrorism as a consequence of it. They need to be aware of what we mean by the term "extremism" and the relationship between extremism and terrorism (see section B, above).

19. 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.

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 ensure, for example, that a person at risk of radicalisation is given appropriate support (for example on the Channel programme). Information sharing must be assessed 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 authority 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 to determining the necessity and proportionality of sharing information will be the professional judgement of the risks to an individual or the public;
- consent: wherever possible the consent of the person concerned should be obtained before sharing any information about them;
- power to share: the sharing of data by public sector bodies requires the existence of a power to do so, in addition to satisfying the requirements of the Data Protection Act 1998 and the Human Rights Act 1998;
- 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 own responsibilities under the Data Protection Act and any confidentiality obligations that exist.

22. There may be some circumstances where specified authorities, in the course of Preventrelated work, identify someone who may already be engaged in illegal terrorist-related activity. 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 as priorities for this programme, and will provide central monitoring for the new duty. The Home Office shares management (with local authorities) of local Prevent co-ordinator teams.

25. The Home Office will:

- draw together data about implementation of Prevent from local and regional Prevent co-ordinators (including those in health, further and higher education), the police, intelligence agencies and other departments and inspection bodies where appropriate;
- monitor and assess Prevent delivery in up to 50 Prevent priority areas;
- maintain contact with relevant departments and escalate issues to them and inspectorates where appropriate;
- support the Prevent Oversight Board, chaired by the Minister for Immigration and Security, which may agree on further action to support implementation of the duty.

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 improvement had been exhausted. The power would be used only to ensure the implementation 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 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.

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 vital to Prevent work. 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 Common 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 (2) of the Local Government Act 1999 by virtue of a direction made under section 15 of that Act

31. Other local authorities, including stand-alone fire and rescue authorities, are not listed in the Act and are not subject to the duty, but it is anticipated, considering their wider prevention role, that in many areas they will be partners in local efforts to prevent people from being drawn into terrorism.

32. In fulfilling the new duty, local authorities, including elected members and senior officers should be carrying out activity in the following areas.

Partnership

33. Local authorities should establish or make use of an existing local multi-agency group to agree risk and co-ordinate Prevent activity. Many local authorities use Community Safety Partnerships but other multi-agency forums may be appropriate.

34. It is likely that links will need to be made to other statutory partnerships such as Local Safeguarding Children Boards Safeguarding Adults Boards, Channel panels and Youth Offending Teams.

35. It will be important that local or regional Prevent co-ordinators have access to senior local authority leadership to give advice and support. 36. We expect local multi-agency arrangements to be put in place to effectively monitor the impact of Prevent work.

37. Prevent work conducted through local authorities will often directly involve, as well as have an impact on local communities. Effective dialogue and coordination with community based organisations will continue to be essential.

Risk assessment

38. We expect local authorities to use the existing counter-terrorism local profiles (CTLPs), produced for every region by the police, to assess the risk of individuals being drawn into terrorism. This includes not just violent extremism but also non-violent extremism, which can create an atmosphere conducive to terrorism and can popularise views which terrorists exploit. Guidance on CTLPs is available here (https://www.gov.uk/government/uploads/system/%0Auploads/attachment_data/file/118203/counter-terrorism-local-profiles.pdf).

39. This risk assessment should also be informed by engagement with Prevent co-ordinators, schools, registered childcare providers, universities, colleges, local prisons, probation services, health, immigration enforcement Youth Offending Teams and others, as well as by a local authority's own knowledge of its area.

40. We would expect local authorities to incorporate the duty into existing policies and procedures, so it becomes part of the day-to-day work of the authority. The duty is likely to be relevant to fulfilling safeguarding responsibilities in that local authorities should ensure that there are clear and robust safeguarding policies to identify children at risk. This guidance should be read in conjunction with other relevant safeguarding guidance, in particular Working Together to Safeguard Children (https://www.gov.uk/government/%0Apublications/working-together-to-safeguard-children).

Action plan

41. With the support of co-ordinators and others as necessary, any local authority that assesses, through the multi-agency group, that there is a risk should develop a Prevent action plan. This will enable the local authority to comply with the duty and address whatever risks have been identified.

42. 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. Many of these projects and activities will be community based.

Staff training

43. Local authorities will be expected to ensure appropriate frontline staff, including those of it's contractors, have a good understanding of Prevent are trained to recognise vulnerability to being drawn into terrorism and are aware of available programmes to deal with this issue.

44. Local authority staff will be expected to make appropriate referrals to Channel (a programme which provides support to individuals who are at risk of being drawn into terrorism which is put on a statutory footing by Chapter 2 of Part 5 of the Counter-Terrorism and Security Act 2015) and ensure that Channel is supported by the appropriate organisation and expertise. Guidance on the Channel programme can be found here (https://www.gov.uk/government/publications/%0Achannel-guidance)

Use of local authority resources

45. In complying with the duty we expect local authorities to 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.

46. We expect local authorities to ensure that organisations who work with the local authority on Prevent are not engaged in any extremist activity or espouse extremist views.

47. Where appropriate, we also expect local authorities to take the opportunity when new contracts for the delivery of their services are being made to ensure that the principles of the duty are written in to those contracts in a suitable form.

Collaboration between areas

48. 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. It is expected that neighbouring areas will also agree proportionate arrangements for sharing the assessment of risk and for agreeing local Prevent action plans as appropriate.

Prevent priority areas

49. The Home Office will continue to identify priority areas for Prevent-related activity. Priority areas will, as now, be funded to employ a local Prevent co-ordinator to give additional support and expertise and additional Home Office grant funding is available for Prevent projects and activities. The Home Office will continue to have oversight of local Prevent co-ordinators and the funding, evaluation and monitoring of these projects.

Other agencies and organisations supporting children

50. A range of private and voluntary agencies and organisations provide services or, in some cases, exercise functions in relation to children. The duty applies to those bodies, which include, for example, children's homes and independent fostering agencies and bodies exercising local authority functions whether under voluntary delegation arrangements or via the use of statutory intervention powers. These bodies should ensure they are part of their local authorities' safeguarding arrangements and that staff are aware of and know how to contribute to Prevent-related activity in their area where appropriate. Out-of-school settings supporting children

51. Many children attend a range of out-ofschool settings other than childcare including supplementary schools, and tuition centres to support home education. These settings are not regulated under education law. Local authorities should take steps to understand the range of activity and settings in their areas and take appropriate and proportionate steps to ensure that children attending such settings are properly safeguarded (which should include considering whether children attending such settings are at risk of being drawn into extremism or terrorism). In assessing the risks associated with such settings, local authorities should have regard to 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 relevant planning and health and safety powers.

Monitoring and enforcement

52. In fulfilling its central monitoring role (section D above) the Home Office can (and already does) scrutinise local Prevent action plans, project impact and overall performance. It will also consider work with local authority 'peers' to provide targeted assistance and help authorities develop good practice.

53. 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. Where there are concerns about compliance, the Government may need to consider the appropriateness of using existing mechanisms such as section 10 of the Local Government Act 1999. This allows the Secretary of State to appoint an inspector to assess an authority's compliance with its statutory "best value" duty in relation to one or more of the specified functions.

54. If the Secretary of State is satisfied that a council in England has failed to discharge its "best value" duty in relation to the new Prevent duty, it would be open to him to use his powers under Section 15 of the Local Government Act 1999 to intervene. This could include requiring the council to undertake specific actions, appointing Commissioners and transferring some of the council's functions to them. The Secretary of State must consult the council before issuing a direction. The Secretary of State may also direct a local inquiry to be held into the exercise by the authority of specified functions. Welsh Ministers' powers of intervention in relation to a Welsh council that has failed to discharge its "improvement" duties are set out in the Local Government (Wales) Measure 2009.

55. If the Secretary of State is satisfied that a local authority is failing to perform any function relating to education, childcare or children's social care to an adequate standard he may use his powers under section 497A or the Education Act 1996 (applied to childcare under section 15(3) of the Children's Act, and children's social care under section 50(1) of the Children Act 2004) to take whatever action is deemed expedient to achieve necessary improvement. In Wales, Welsh Ministers have the power to intervene under the School Standards and Organisation (Wales) Act 2013. These intervention measures are considered in cases where Ofsted inspections (or Estyn in Wales) identify inadequate practice and serious concerns about practice in relation to safeguarding, adoption and lookedafter children. The Care and Social Services Inspectorate Wales (CSSIW) has a role here in terms of care settings and standards.

56. 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).

57. In England about eight million children are educated in some 23,000 publicly-funded and around 2,400 independent schools. The publiclyfunded English school system comprises maintained schools (funded by local authorities), and academies (directly funded by central government. In Wales, over 450,000 children attend Local Authority maintained schools, and there are 70 independent schools. [footnote 1]

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

59. In Wales, independent schools set their own curriculum, but must comply with Independent Schools Standards made by the Welsh Ministers. These Standards also include a requirement to promote the spiritual, moral, social and cultural development of pupils.

60. Early years providers serve arguably the most vulnerable and impressionable members of society. The Early Years Foundation Stage (EYFS) accordingly places clear duties on providers to keep children safe and promote their welfare. It makes clear that to protect children in their care, providers must be alert to any safeguarding and child protection issues in the child's life at home or elsewhere (paragraph 3.4 EYFS). Early years providers must take action to protect children from harm and should be alert to harmful behaviour by other adults in the child's life.

61. Early years providers already focus on children's personal, social and emotional development The Early Years Foundation Stage framework supports early years providers to do this in an age appropriate way, through ensuring children learn right from wrong, mix and share with other children and value other's views, know about similarities and differences between themselves and others, and challenge negative attitudes and stereotypes.

62. This guidance should be read in conjunction with other relevant guidance. In England, this includes Working Together to Safeguard Children, Keeping Children Safe in Education and Information Sharing: Her Majesty's Government advice for professionals providing safeguarding services to children, young people, parents and carers.

Working together to safeguard children (https://www.gov.uk/government/publications/%0Aworking-together-to-safeguard-children)

Keeping children safe in education (https://www.gov.uk/government/publications/%0Akeeping-children-safe-in-education)

63. In Wales it should be read alongside Keeping learners safe (https://gov.wales/sites/default/files/publications/2018-11/keeping-learners-safe-the-role-of-local-authorities-governing-bodies-and-proprietors-of-independent-schools-under-the-education-act-2002.pdf#radicalisation). [footnote 2]

64. The authorities specified in paragraph 65 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 just violent extremism 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 topics, including terrorism and the extremist ideas 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 existing duties to forbid political indoctrination and secure a balanced 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 proprietors of independent schools, including academies (but not 16-19 academies) by the Independent School Standards.

Education and childcare specified authorities

65. The education and childcare specified authorities in Schedule 6 to the Act are as follows:

- the proprietors[footnote 3] of maintained schools, non-maintained special schools, maintained nursery schools, independent schools (including academies and free schools) and alternative provision academies[footnote 4]
- pupil referral units
- registered early years childcare providers5
- registered later years childcare providers6
- providers of holiday schemes for disabled children
- persons exercising local authority functions under a direction of the Secretary of State when the local authority is 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 36A to the Education Act 1996.

66. In fulfilling the new duty, we would expect the specified authorities listed above to demonstrate activity in the following areas.

Risk assessment

67. 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 should be based on an understanding, shared with partners, of the potential risk in the local area.

68. 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 intervening as appropriate. Institutions will need to consider the level of risk to identify the most appropriate referral, which could include Channel or Children's Social Care, for example. These policies should set out clear protocols for ensuring that any visiting speakers – whether invited by staff or by children themselves – are suitable and appropriately supervised.

Working in partnership

69. 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

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

IT policies

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

Monitoring and enforcement

72. The Office for Standards in Education, Children's Services and Skills (Ofsted) inspects the specified authorities in England listed above, with the exception of some privately funded independent schools. When assessing the effectiveness of schools, Ofsted inspectors already have regard to the school's approach to keeping pupils safe from the dangers of radicalisation and extremism, and what is done when it is suspected that pupils are vulnerable to these. Maintained schools are subject to intervention, and academies and free schools may be subject to termination of their funding agreement, if they are judged by Ofsted to require significant improvement or special measures, or if they fail to take the steps required by their local authority, or for academies or free schools by the Secretary of State pursuant to their funding agreement, as applicable, to address unacceptably low standards, serious breakdowns of management or governance or if the safety of pupils or staff is threatened. In Wales, all publicly funded schools are inspected by Estyn.

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

74. Privately funded independent schools in England are inspected by Ofsted or one of three independent inspectorates. In Wales, Estyn inspects independent schools.If they fail to meet the Independent School Standards, they must remedy the problem or be subject to regulatory action by the Department for Education or the Welsh Government, which could include de-registration (which would make their continued operation unlawful).

75. Early education funding regulations in England have been amended to ensure that providers who fail to promote the fundamental British values of democracy, the rule of law, individual liberty and mutual respect and tolerance for those with different faiths and beliefs do not receive funding from local authorities for the free early years entitlement.

76. Ofsted's current inspection framework for early years provision reflects the requirements in the Statutory Framework for the Early Years Foundation Stage.

The health sector

77. Healthcare professionals will meet and treat people who may be vulnerable to being drawn into terrorism. Being drawn into terrorism includes not just violent extremism but also non-violent extremism, which can create an atmosphere conducive to terrorism and can popularise views which terrorists exploit.

78. The key challenge for the healthcare sector is to ensure that, where there are signs that someone has been or is being drawn into terrorism, the healthcare worker is trained to recognise those signs correctly and is aware of and can locate available support, including the Channel programme where necessary. Preventing someone from being drawn into terrorism is substantially comparable to safeguarding in other areas, including child abuse or domestic violence.

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 Trusts
- 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 overview and management of embedding the Prevent programme into safeguarding procedures across the NHS.

83. Each regional team in the NHS has a Head of Patient Experience who leads on safeguarding in their region. They are responsible for delivery of the Prevent strategy within their region and the health regional Prevent co-ordinators (RPCs).

84. These RPCs are expected to have regular contact with Prevent leads in NHS organisations to offer advice and guidance.

85. In Wales, NHS Trusts and Health Boards have CONTEST Prevent leads and part of multi-agency structures where these are in place. This guidance should be read in conjunction with Building Partnerships-Staying Safe issued by the Department of Health and Social Services, which provides advice to healthcare organisations on their role in preventing radicalisation of vulnerable people 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 Sub Regions within the NHS should, under the NHS England Accountability and Assurance Framework, have in place local Safeguarding Forums, including local commissioners and providers of NHS Services. These forums have oversight of compliance with the duty, and ensure effective delivery. Within each area, the RPCs are responsible for promoting Prevent to providers and commissioners of NHS services, supporting organisations to embed Prevent into their policies and procedures, and delivering training.

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

89. We would also expect the Prevent lead to have networks in place for their own advice and support to make referrals to the Channel programme.

90. Since April 2013 commissioners have used the NHS Standard Contract for all commissioned services excluding Primary Care, including private and voluntary 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 bolstered by the statutory duty.

Risk assessment

91. All NHS Trusts in England have a Prevent lead who acts as a single point of contact for the health regional Prevent co-ordinators, and is responsible for implementing Prevent within their organisation. To comply with the duty, staff are expected, as a result of their training, to recognise and refer those at risk of being drawn into terrorism to the Prevent lead who may make a referral to the Channel programme. Regional health Prevent co-ordinators are able to provide advice and support to staff as required. In Wales, Health is a member of the Wales Contest Board and similar arrangements are in place.

Staff training

92. The intercollegiate guidance, Safeguarding Children and Young people: roles and competences for health care staff includes Prevent information and identifies competencies for all healthcare staff against six levels.

93. The training should allow all relevant staff to recognise vulnerability to being drawn into terrorism, (which includes someone with extremist ideas that are used to legitimise terrorism and are shared by terrorist groups), including extremist ideas which can be used to legitimise terrorism and are shared by terrorist groups, and be aware of what action to take in response, including local processes and policies that will enable them to make referrals to the Channel programme and how to receive additional advice and support.

94. It is important that staff understand how to balance patient confidentiality with the duty. They should also be made aware of the information sharing agreements in place for sharing information with other sectors, and get advice and support on confidentiality issues when responding to potential evidence that someone is 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 toolkit, which are set out in Building Partnerships, Staying Safe: guidance for healthcare organisations (https://www.gov.uk/government/uploads/system/%0Auploads/attachment_data/file/215253/dh_131912.pdf)
- A programme to deliver Prevent training, resourced with accredited facilitators;
- Processes in place to ensure that using the intercollegiate guidance, staff receive Prevent awareness training appropriate to their role; and
- Procedures to comply with the Prevent Training and Competencies Framework.

Monitoring and enforcement

96. Within the NHS, we expect local safeguarding forums, including local commissioners and providers of NHS Services to have oversight of fulfilling the duty and ensuring effective delivery.

97. Externally, Monitor is the sector regulator for health services in England ensuring that independent NHS Foundation Trusts are well led so that they can provide quality care on a sustainable basis. The Trust Development Authority is responsible for overseeing the performance of NHS Trusts and the Care Quality Commission is the independent health and adult social care regulator that ensures these services provide people with safe, effective and high quality care. In Wales, the Healthcare Inspectorate Wales, and the Care and Social Services Inspectorate Wales could be considered to provide monitoring arrangements. We will work with the Welsh Government to consider the arrangements in Wales.

98. We are considering whether these internal arrangements are robust enough to effectively monitor compliance with the duty or whether the duty should be incorporated into the remit 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 122 prisons in England and Wales including 14 prisons operated under contract by private sector organisations. There are around 85,000 prisoners in custody at any one time and 150,000 individuals in custody during a 12 month period.

101. Probation services are delivered by the National Probation Service (NPS), which supervises high-risk and other serious offenders, and 21 Community Rehabilitation Companies (CRCs), which supervise low and medium-risk offenders. NOMS is currently 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 gives both prisons and probation services a clear and important role both in working with offenders convicted of terrorism or terrorism-related offences and in preventing other 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 care homes;
- secure training centres;
- the National Probation Service; and
- Community Rehabilitation Companies.

Prisons

104. NOMS manages the risk of offenders being drawn into, or reverting to, any form of offending as part of its core business (identifying and managing the risks presented 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 cell-sharing risk assessments, and initial reception and induction interviews to establish concerns in relation to any form of extremism, be that faith based, animal rights, environmental, far right, far left extremism or any new emerging trends.

107. Contact with prisons chaplaincy should take place, as an integral part of the induction process. Any concerns raised as a result of chaplaincy contact with prisoners, including any concerns about extremism, should be reported 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 any behaviours of concern.

Assessing ongoing risk and interventions

110. For offenders convicted of terrorist or terrorist-related offences, mainstream offender management processes will be used to determine whether interventions are necessary. These are intended to challenge the index offence and can include, where appropriate, intervention disruption and relocation.

111. Where concerns around someone being drawn into terrorism (which includes someone with extremist ideas that are used to legitimise terrorism and are shared by terrorist groups) are identified, either during the early days in custody or later, prison staff should report accordingly, through the intelligence reporting system. All such reporting should be regularly assessed by specialist staff in conjunction with the police.

112. Where such concerns are identified an establishment should look to support that individual. This could take the form of moving them away from a negative influence or providing them with mentoring from the relevant chaplain providing religious classes or guidance.

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

114. Intelligence and briefing packages targeted at staff working with terrorist and extremist prisoners and those at risk of being drawn into terrorism should continue to be made available and delivered. These should continue to be jointly delivered by appropriately trained prison staff and police, and will be updated as required. In complying with this duty, extremism awareness training provided to new staff should be increased.

Transition from custody to supervision in the community

115. Pre-release planning should take place for all prisoners, including those subject to sentences less than 12 months, who will now receive some level of post-release supervision. Prisons, probation providers and the police should consider what risks need to be managed in the community including those that have arisen whilst in custody and indicate 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 a referral to Channel made at the earliest opportunity where appropriate.

116. For offenders already convicted of terrorism or terrorism-related offences, prisons will complete appropriate pre-release processes such as Multi-Agency Public Protection Arrangements (MAPPA) with relevant agencies including the police and the NPS. 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 multi-agency meeting which includes the police and the probation counter terrorism lead, should take place 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 or any outstanding concerns This can apply to periods of Release on Temporary Licence, Home Detention Curfew as well as eventual release on licence.

118. Where insufficient time remains, police and probation staff should be given fast time briefing by prison counter-terrorism staff as above and the National Probation Service CT lead will ensure the probation provider in the community is aware of the information, the risks 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 (tailored specifically to the prison environment). For staff already in post, this should be provided through specialist training and briefing packages that cover working with extremist behaviour. This training can be delivered in partnership with the police and be available to those members of staff who work most closely with terrorist and identified extremist prisoners. All staff should have an understanding of general intelligence systems, reporting and procedures to enable them to report on extremist prisoners and those vulnerable to extremist messaging.

Under-18 secure estate

120. The under-18 secure estate differs 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 place children and young people sentenced or remanded by the courts into secure establishments.

The under-18 secure estates consists of:

- Secure Children's Homes (SCHs) Secure children's homes are run by local authority children's services, overseen by the Department of Health and the Department for Education. They have a high ratio of staff to young people and are generally small facilities, ranging in size from six to forty beds.
- Secure Training Centres (STC) Secure training centres are purpose-built centres for young offenders up to and including the age of 17. They are run by private operators under contracts, which set out detailed operational requirements. There are currently three STCs in England.
- Young Offender Institutions (YOI) Young offender institutions are facilities run by both the Prison Service and the private sector and can accommodate 15 to 21-year-old male offenders.

122. We would expect that staff at each secure estate 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 a referral made to Channel if appropriate

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 (PCTL) to provide the leadership necessary at a regional level to ensure 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 all 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 Community Safety Partnerships (CSPs). Active participation in CSPs will enable all 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 as they should in all cases. Where there are concerns, albeit these may be intelligence led, about someone being at risk of being drawn into terrorism this should initially be recorded in the core risk assessment.

128. Additionally, we would expect existing risk assessment processes to be supplemented by specialist assessments, for example, extremism risk screening. We would expect PCTLs to provide a consultative role to CRCs in doing this, where appropriate.

129. For offenders already convicted of terrorist or terrorist-related offences we would expect the NPS to work in partnership with other agencies, including prisons and the police, to manage any risks identified via MAPPA and to provide bespoke interventions where relevant. For offenders who have not been convicted of a terrorism-related offence and may not be MAPPA eligible, but who are subsequently at risk of being drawn into terrorism, we would expect probation providers to have processes in place to escalate these cases to other agencies or otherwise refer the offender for appropriate interventions – for example to the Channel programme.

Staff training

130. We would expect probation providers to ensure that all staff receive appropriate training in identifying and managing those at risk of being drawn into terrorism including those with extremist ideas that can be used to legitimise terrorism and are shared by terrorist groups. Prevent awareness training has already been given to probation staff in recent years. In complying with the duty, we expect this and other relevant Prevent training to continue.

131. In the future, we expect Prevent awareness training to be included within the Probation Qualification Framework, which is completed by all newly qualified probation staff in both the NPS and CRCs. In addition PCTLs should lead the development of, for example, faith awareness or Extremism Risk Screening training of local training and staff development to supplement the Prevent awareness training. This should focus on emerging issues and any new support and interventions that become available.

Monitoring and enforcement for prisons and probation

132. Within prisons, we would expect compliance with 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 preference is to use existing inspection regimes where appropriate to do so. We consider that a thematic inspection by HM Inspector of Prisons could be a useful addition to the monitoring arrangements outlined above.

134. For probation providers, internally, we would expect compliance with the duty to be reinforced by detailed operational guidance set out in Probation Instructions. CRCs are contractually required to comply with the mandatory actions in relevant Probation Instructions and a similar requirement exists for the NPS in Service Level Agreements. Compliance with Probation Instructions is monitored and assured internally by 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 arrangement outlined above.

136. The YJB monitors the flow of young people through the Youth Justice system identifying the needs and behaviours of young offenders working closely with local partners to improve 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 radicalisation and disrupt people engaged in drawing others into terrorism (which includes not just violent extremism but also non-violent extremism, which can create an atmosphere conducive to terrorism and can popularise views which terrorists exploit). The Police work alongside other sectors in this document to play a galvanising role in developing local Prevent partnerships and bring together a wide range of other organisations to support local delivery of Prevent.

138. The police are uniquely placed to tackle terrorism and whilst it is acknowledged that the Police Service will designate dedicated Prevent roles within Policing, a key objective for the police is to ensure that Prevent is embedded into all aspects of policing including patrol, neighbourhood and safeguarding functions. In fulfilment of their duties consideration must be given to the use of all suitable police resources, not just those specifically designed as 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
- Police and Crime Commissioners
- 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. Prosecute, disrupt and deter extremists

141. In complying with the duty, police should engage and where appropriate disrupt extremist activity, in partnership with other agencies. We expect the police to prioritise projects to disrupt terrorist and extremist material on the internet and extremists working in this country. Officers should consider the full range of investigative and prosecution options when it comes to disrupting extremist behaviour, including the use of public order powers where appropriate. This may include:

- Enforcing terrorist proscription and public order legislation;
- Working with local authorities to consider municipal powers, including local highways and leafleting by-laws, using safeguarding of young people legislation;
- Advising other specified authorities, for example local authorities or universities, to develop venue booking processes and good practice;
- Lawfully disrupting or attending events involving extremist speakers in both private and municipal establishments;
- 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 interventions, including the Channel programme, to support vulnerable individuals;
- Work in partnership with and support Channel Panels chaired by local authorities to co-ordinate Channel partners and Channel actions;
- Support existing, and identify potential new Intervention Providers.

Partnership and risk assessment

143. The police should:

- Engage fully with the local multi-agency groups that will assess the risk of people being drawn into terrorism, providing (where appropriate) details of the police counter-terrorism local profile (CTLP);
- Support the development and implementation by the multi agency group of a Prevent action plan to address that risk;
- Support local authority Prevent co-ordinators, regional further and higher education co-ordinators, regional health Prevent leads and regional NOMS Prevent co-ordinators in carrying out their work;
- Co-ordinate the delivery of the Channel programme by accepting referrals, including acting as a conduit for Channel referrals with partners; and
- Ensure Prevent considerations are fully embedded into counter-terrorism investigations.

144. The success of Prevent work relies on communities supporting efforts to prevent people being drawn into terrorism and challenging the extremist ideas that are also part of terrorist ideology. The police have a critical role in helping communities do this. To comply with the duty, we would expect the police, to support others including local authorities, to build community resilience by:

- Supporting local authority Prevent Coordinators in developing Prevent-related projects and action plans;
- Supporting the Charity Commission in providing guidance to avoid money being inadvertently given to organisations which may endorse extremism or terrorism and enforcing legislation where fraud offences are identified.
- Supporting opportunities to develop community challenges to extremists; and
- Collate and analyse community tension reporting across the UK that enables police and partners to identify and respond to emerging concerns.

Monitoring and enforcement

145. The Strategic Policing Requirement makes clear that Police and Crime Commissioners (PCCs) and Chief Constables must demonstrate that they have contributed to the government's counter terrorism strategy (CONTEST). This includes the Prevent programme, where they are required to take into account the need to identify and divert those involved in or vulnerable to radicalisation. The Home Secretary can direct a PCC to take specific action to address a specific failure.

146. HM Inspectorate of Constabulary (HMIC) is the statutory body for inspecting the police. They can carry out thematic inspections 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 place an appropriate amount of weight on the need to prevent people being drawn into terrorism when they consider all the other factors relevant to how they carry out their usual functions.
- '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 of different faiths and beliefs. We also include in our definition of extremism calls for the death of members of our armed forces, whether in this country or overseas.
- 'Interventions' are projects intended to divert people who are being drawn into terrorist activity. Interventions can include mentoring, counselling, theological support, encouraging civic engagement, developing support networks (family and peer structures) or providing mainstream services (education, employment, health, finance or housing).
- 'Non-violent extremism' is extremism, as defined above, which is not accompanied by violence.
- 'Prevention' in the context of this document means reducing or eliminating the risk of individuals becoming involved in terrorism. Prevent includes but is not confined to the identification and referral of those at risk of being drawn into terrorism into appropriate interventions. These interventions aim to divert vulnerable people from radicalisation.
- 'Radicalisation' refers to the process by which a person comes 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 terrorist-related activity.

- The current UK definition of 'terrorism' is given in the Terrorism Act 2000 (TACT 2000). In summary this defines terrorism as an action that endangers or causes serious violence to a person/people; causes serious damage to property; or seriously interferes or disrupts an electronic system. The use or threat must be 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 (such as murder) which are not offences in terrorist legislation, but which are judged to be committed in relation to terrorism.
- 'Vulnerability' describes the condition of being capable of being injured; difficult to defend; open to moral or ideological attack. Within Prevent, the word describes factors and characteristics associated with being susceptible to radicalisation.

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1. Schools Census results on Wales.gov.uk
2. Keeping Learners Safe includes advice on radicalisation on page 51
3. Reference in this guidance to the 'proprietor' in the case of a maintained school, maintained nursery school and non-maintained special school is a reference to the governing body of the school.
4. Including early years and later years childcare provision in schools that is exempt from registration under the Childcare Act 2006

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