

# The Counter-Terrorism and Security Act: Implications for Members working in the Further Education (FE) Sector

## The Act

The Counter-Terrorism and Security Act 2015 has seven parts, of which Part 5 is of relevance to members of BACP.

Part 5 puts the Prevent strategy on a statutory footing, by placing a duty on specified authorities, in England, Wales and Scotland, to have due regard, when exercising their functions, to the need to prevent people from being radicalised and drawn into terrorism. The Prevent strategy, published by the government in 2011, is part of the UK's overall counter-terrorism strategy, CONTEST.

The Prevent strategy has three specific strategic objectives:

1. Respond to the ideological challenge of terrorism and the threat faced from those who promote it;
2. Prevent people from being drawn into terrorism and ensure that they are given appropriate advice and support; and
3. Work with sectors and institutions where there are risks of radicalisation that need to be addressed.

All specified authorities identified within the Act also need to demonstrate an awareness and understanding of the risks of radicalisation within their area, institution or body. The three key themes identified by the government are:

1. Leadership
2. Working in Partnership
3. Staff Capabilities

## The seven Things to Know About the Prevent Duty (Times Education Supplement, 2015)

1. **Start with a risk assessment:** *Understanding how and why young people can be put at risk of radicalisation and extremism is crucial to accurate risk assessments.*
2. **Ensure robust policies and procedures are in place:** *As with any safeguarding area, systems and processes need to be robustly established, regularly reviewed and communicated so that staff know how to respond to identified risks.*
3. **Staff must be appropriately trained:** *Staff should be empowered through training to have an awareness of the Prevent strategy, how to identify someone at risk of radicalisation, how to respond to identified risks and what support is available.*
4. **IT access must be safe:** *Appropriate IT policies and safeguards must be implemented to protect freedom of speech and freedom to access online information, whilst protecting young people from extremist material.*
5. **Effort and compliance will be monitored**

6. **Knowledge is the key:** *Good communication of knowledge between staff, leadership and external agencies is crucial to the successful implementation of Prevent duty systems.*
7. **Support is available:** *Support is available, by building links with Local Prevent Coordinators, police counter-terrorism units, safeguarding boards and training providers, it will assist institutions in accessing the support they need.*

## **FE Specified Authorities required to act under the Prevent Duty**

- FE institutions on the Skills Funding Agency (SFA) register of training organisations including sub-contractors which receive more than £100,000 of SFA funding via lead providers. This includes around 950 FE colleges and independent providers and 93 6<sup>th</sup> Form colleges.
- FE institutions in Wales funded by the Welsh Government.
- Private FE institutions who are not in receipt of public funding who may be on the UK Register of Learning Providers and have similar characteristics to those on the register. These are defined as institutions having at least 250 students and undertaking courses in preparation for exams, which either receive public funding or are regulated by OfQual and Examinations Regulation or the Welsh Government.

## **Partnership Working**

Institutions should ensure engagement between Governors, Boards, Principals, managers and leadership as well as external partners including the Police and Department for Business, Skills and Innovation (DBIS) regional FE Prevent duty co-ordinators.

If the size of the institution warrants, arrangements should be implemented to ensure the effective sharing of information between these groups and a single institutional point of contact for the delivery of the Prevent duty.

## **Risk Assessment**

A risk assessment should be carried out by each institution. This should ensure institutional policies are scrutinised for their ability to ensure student welfare, including equality and diversity, the safety of students and staff as well as ensuring the institution's whistleblowing and complaints policies and procedures are rigorous, clear and visible.

## **Action Plan**

Institutions identifying a risk under the Prevent Duty should notify the relevant DBIS Prevent co-ordinator and work with them to develop a Prevent action plan to set out how the institution will attempt to mitigate the risks.

## **Staff Training**

Institutions are required to provide adequate training and development for leadership and staff. Training should ensure that staff have an understanding of the factors that can leave people vulnerable to being drawn into terrorism and to challenge the extremist ideas propagated by terrorist groups. Staff should also have been given an understanding of when it is appropriate to

refer their concerns to the institution's Prevent officer, who is often the institution's safeguarding officer.

Institutions are also required to have robust procedures, both internally and externally, for sharing information about vulnerable individuals. Staff should also be trained to be aware of these procedures so that they feel confident in how best to respond to anything that concerns them.

As the body responsible for standards and quality improvement within the FE sector, the Education and Training Foundation will work with institutions to ensure that appropriate training is available.

## **Monitoring and Enforcement**

OfSted is responsible for inspecting publically-funded FE institutions and training providers. If an institution is found to be inadequate in acting upon their responsibilities under the prevent duty, then action will be taken. Actions could include the termination of Skills Funding Agency contracts, FE or 6<sup>th</sup> Form commissioner making an assessment, Governance and leadership change, restructuring or dissolution of the institution.

## **Key Resources**

*The Education and Training Foundation* - <http://www.et-foundation.co.uk/> (Link accessed 11<sup>th</sup> August 2015)

*Higher Education/ Further Education Prevent Coordinators* - <http://www.preventforfeandtraining.org.uk/sites/default/files/Prevent%20Coordinators%20details.pdf> (Link accessed 11<sup>th</sup> August 2015)

*Prevent Duty Guidance for England and Wales* - [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/417943/Prevent\\_Duty\\_Guidance\\_England\\_Wales.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/417943/Prevent_Duty_Guidance_England_Wales.pdf) (Link accessed 11th August 2015)

Times Education Supplement - <https://www.tes.com/teaching-resource/7-things-schools-need-to-know-about-the-new-prevent-duty-11032731> (Link accessed 16th October 2015)