

The Counter-Terrorism and Security Act: Implications for Members working in the Higher Education (HE) 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.*

HE SPECIFIED AUTHORITIES

- Institutions within the meaning given by section 11 of the Higher Education Act 2004.
- Private higher education institutions not in receipt of public funding from the Higher Education Funding Council for England (HEFCE) or the Higher Education Funding Council for Wales (HEFCW), but that have similar characteristics to those that are. This includes governing bodies or proprietors of institutions not otherwise listed that have at least 250 students, excluding students on distance learning courses, undertaking courses of a description mentioned in Schedule 6 of the Education Reform Act.

Impact of HE Specified Authorities

A university's commitment to freedom of speech and the advancement of knowledge makes them a crucial partner in challenging extremist views and ideologies and the Government recognises that HE institutions already demonstrate some good practice and doesn't anticipate that the new duty will create any substantial additional burdens for institutions.

The Government has chosen not to prescribe what appropriate decisions would be in relation to the Prevent duty, leaving this up to institutions to determine, however compliance with the duty will only be achieved if appropriate policies and procedures are implemented, adhered to and applied in a proportionate and risk-based manner.

However there will be additional guidance made available for HE institutions around managing external speakers and events for extremist speakers, this will include information on the interaction between the Prevent duty and a university's duty to secure freedom of speech and academic freedom.

Partnership

It is crucial that HE institutions ensure engagement from senior management in the implementation of the Prevent duty, and that effective working relationships are established between the institution's leadership, the police and the Department for Business, Innovation and Skills regional HE/ Further Education Prevent coordinators. Details on these co-ordinators can be found on the safe campus communities (link at bottom of page).

In addition to this, HE institutions should ensure adequate information sharing mechanisms are in place to support staff in appropriate information sharing across all departments and functions.

Risk Assessment

A risk assessment should be carried out by each HE 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

HE institutions should develop an action plan to identify risks and what actions they will take to minimise them. Further information on possible action plans is available on the Safer Campus Communities website (see link at bottom of page).

Staff Training

HE 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.

Welfare and Pastoral Care/ Chaplaincy Support

There is an expectation that HE institutions offer sufficient welfare, pastoral and chaplaincy support for all students.

Monitoring and Enforcement

The Secretary of State will appoint an appropriate body to assess compliance with the Prevent duty and a separate monitoring framework will be published in the future, setting out the details of how this body will undertake monitoring of this duty.

Key Resources

Safe Campus Communities - <http://www.safecampuscommunities.ac.uk/> (Link accessed 11 August 2015)

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