

The Counter-Terrorism and Security Act: Implications for Members working in the Specified Local Authorities

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.*

Specified Local Authorities

- A county council or district council in England
- The Greater London Authority
- London Borough Councils
- Commons Council of the City of London
- Council of the Isles of Scilly
- A county council or county borough council in Wales
- 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.

Some local authorities, including stand-alone fire and rescue authorities, are not listed in the Act and are not subject to the duty. It is anticipated, given their wider prevention role, that they will be partners in local efforts to prevent people from being radicalised or drawn into terrorism.

Partnership

Local Authorities are expected to make links with other statutory partnerships including *Local Safeguarding Children Boards, Safeguarding Adults Boards, Channel Panels* and *Youth Offending Teams*. In addition to this local multi-agency arrangements should be agreed to monitor the impact of the Prevent work.

Risk Assessment

Local Authorities covered by the duty are expected to use existing counter-terrorism local profiles (CTLPs) produced for every region by the police, in assessing the risk of individuals being drawn into terrorism. Additionally any risk assessment should 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.

The Prevent duty guidance should also be read in conjunction with other relevant safeguarding guidance, in particular *Working Together to Safeguard Children*.

Action Plan

A Local Authority should outline how they will tackle any risks identified in their risk assessment by producing an action plan. These action plans will identify, prioritise and facilitate delivery of projects, activities or specific interventions designed to tackle radicalisation and prevent young people from engaging in terrorist activities.

Staff Training

Local Authorities will be responsible for ensuring that appropriate frontline staff, including contractors, have a good understanding of the Prevent duty and are trained to recognise vulnerability to being drawn into terrorism, as well as being aware of what support programmes are available to deal with this issue.

Additionally, Local Authority staff will be expected to make appropriate referrals to the Channel Programme and to ensure that Channel is supported by the appropriate organisation and expertise – training will need to be provided to ensure that this can be implemented.

Other Agencies and Organisations Supporting Children

The Prevent duty applies to those private voluntary agencies and organisations which provide services or exercise functions in relation to children. This can include 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.

Out-of-School Settings Supporting Children

Out-of-school settings other than childcare, including supplementary schools and tuition centres are not regulated under education law. Local Authorities should take appropriate and proportionate steps to ensure children and young people are safeguarded. When assessing the risks, Local Authorities should have regard to whether the settings subscribe to voluntary accreditation schemes and other evidence about the extent to which the providers are taking steps to safeguard children in their care.

Monitoring and Evaluation

If there are concerns about compliance, the Government may consider using existing mechanisms to appoint an inspector to assess a Local Authorities compliance with the Prevent Duty.

Key Resources

Working Together to Safeguard Children - https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/419595/Working_Together_to_Safeguard_Children.pdf (Link accessed 11th 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 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)