



## The Viaduct Federation of Schools Prevent Duty Policy

Based on DfE Statutory Guidance – April 2021

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### **A. Status and scope of the duty**

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

### **B. Introduction**

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”.

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.

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”.

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.

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.

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.

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.

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.

This policy identifies best practice and describes ways in which we can comply with our duty.

### **C. A risk-based approach to the Prevent duty**

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.

#### **Leadership**

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

- establish 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**

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**

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).

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.

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**

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.

There may be some circumstances where specified authorities, in the course of Prevent related 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**

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.

#### **E. Sector-specific guidance**

##### **Local authorities**

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.

##### **Partnership**

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.

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.

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.

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.

### **Use of local authority resources**

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.

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.

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.

### **Other agencies and organisations supporting children**

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

Many children attend a range of out-of-school 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.

## **E. School Specific Guidance**

### **Schools and registered childcare providers (excluding higher and further education)**

In England about eight million children are educated in some 23,000 publicly-funded and around 2,400 independent schools. The publicly funded 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.

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.

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.

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.

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](#)  
[Keeping children safe in education](#)

The authorities specified 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**

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

- the proprietors of maintained schools, non-maintained special schools, maintained nursery schools, independent schools (including academies and free schools) and alternative provision academies
- pupil referral units
- registered early years childcare providers<sup>5</sup>
- registered later years childcare providers<sup>6</sup>
- 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.

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

### **Risk assessment**

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.

### **Working in partnership**

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).

### **Staff training**

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**

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**

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, 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, to address unacceptably low standards, serious breakdowns of management or governance or if the safety of pupils or staff is threatened.

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.

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

### **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
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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.