

Annex A – New Burden Assessment - analysis of the impact of the new Prevent Duty on Local Authorities

What does the Prevent Duty require local authorities to do?

The Counter Terrorism and Security Act 2015 requires specified authorities, in the exercise of their functions to have due regard to the need to prevent people being drawn into terrorism (Chapter 1, Section 26). Local government are listed as specified authorities in Schedule 6 of the Act. Local government refers to:

- A county council or district council
- The Greater London Authority
- A London borough council
- The Common Council of the City of London in its capacity as a local authority
- A county council or a county borough council in Wales
- A person carrying out the 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.
- A council constituted under section 2 of the Local Government etc. (Scotland) Act 1994.

Guidance has been published setting out the detail for specified authorities on action needed to fulfil responsibilities under the Duty (Prevent Duty Guidance: for England and Wales, and separately for Scotland).

How will the Prevent Duty affect the work of local authorities?

Local authorities are vital to Prevent work. The responsibilities of local government bodies will not fundamentally change with the commencement of the Prevent Duty. Preventing people from being drawn into terrorism is part of a range of activities already undertaken by local authorities. In legislating, it is the intention of the Government that consistency is improved and best practice shared.

Following the commencement of the Prevent Duty on 1 July, in order to have due regard to the need to prevent people being drawn into terrorism, local authorities will be required to fulfil a range of responsibilities as articulated in the Prevent guidance. Broadly this work falls into the following categories:

- **Partnership** – local authorities should establish or make use of multi-agency groups to coordinate and monitor Prevent related activity.
- **Risk Assessment** – local authorities should use Counter-Terrorism Local Profiles (England and Wales) or Emerging or Residual Threat Local Profiles (Scotland), to assess the risk of individuals being drawn into terrorism in their local area. This risk assessment should also be informed by engagement with wider partners in the local area including schools, childcare providers, universities, colleges, local prisons, probation services, health, immigration enforcement and Youth offending teams.
- **Action Plan** – Using the risk assessment, if the local authority assesses a risk in the local area, a Prevent action plan should be developed to prioritise and facilitate delivery of projects, activities or specific interventions to reduce the risk of people being drawn into terrorism in the local authority.
- **Staff Training** – local authorities will be expected to ensure that appropriate frontline staff have a good understanding of Prevent and are trained to recognise the vulnerability to being drawn into terrorism and are aware of available programmes to

deal with this issue. Local authority staff will be expected to be aware of, and make appropriate referrals to Channel, which has separately been placed on a statutory footing in the CT&S Act 2015.

- **Use of local authority resources** – local authorities will be expected to ensure that publicly owned venues and resources do not provide a profile for extremists. Consideration should also be given as to whether IT equipment available to the general public should use filtering solutions that limit access to terrorist and extremist material. New contracts for the delivery of services in a local authority should reflect the principles of the duty in a suitable form.
- **Other agencies and organisations supporting children** – a range of private and voluntary agencies provide services or exercise functions for children, for example children’s homes, independent fostering agencies, and bodies exercising local authority functions. These bodies must ensure as part of their local authority safeguarding arrangements that staff are aware of Prevent.
- **Out of school settings supporting children** – local authorities should take steps to understand the range of activity in their area in this space and take appropriate and proportionate steps to ensure that children attending such settings are appropriately safeguarded.

What is the estimated financial burden of this new activity?

It is the Government’s view that the mainstay of this work will not constitute a significant financial burden on local authorities. As aforementioned, in large the reason for putting Prevent on a statutory footing is to improve consistency across the country and to share best practice. To illustrate:

- Counter Terrorism Local Profiles already cover all local authority areas, and if requested Chief Executives will be briefed by police on their contents. This does not always happen as a matter of course, therefore the Duty is intended to formalise this procedure and enable local council senior leadership in this regard, rather than create additional burden.
- Prevent work normally falls under the jurisdiction of a local authority’s community safety department. It is already the responsibility of the council to consider public order and crime related matters. Counter terrorism issues should be considered as part of this work as a matter of course. The Duty is intended to standardise procedures. LA’s will be required to establish or make use of multi-agency groups to coordinate and monitor Prevent related activity. This is an administrative task that should not require significant financial or people costs.
- As a matter of course local authorities should already have systems and processes in place to ensure council premises and financial mechanisms are protected to ensure safeguarding procedures are in place and in most cases will already have Prevent provision or activity in place.

The Home Office does recognise that there will be some de minimus costs related to implementation of the Prevent Duty:

- A group or Board may need to be formed to comply with the main requirement of the Duty for a local authority to “establish or make use of an existing multi-agency group to agree risk and co-ordinate Prevent activity”;

- Additional training may need to be provided for local authority employees on Prevent related activity;
- Implementation of an action plan may require additional funding for project work or training;
- IT systems may require upgrading to cover extremist material.

What is OSCT's offer of support and what is the justification?

There are 407 local authorities in England, Scotland and Wales that will be required to implement the Duty. The Home Office has identified a number of local authorities as Prevent priority areas based on an assessment of the counter-terrorism threat across the country. In 2015/16, priority local authority areas will receive a financial package to support Prevent activity ranging from £120,000 to £600,000 to cover project work and dedicated Prevent personnel. We do not propose to increase the financial support to the existing Prevent priority areas in implementing the Prevent duty as they are already comprehensively supported. The focus of financial support will be to non-priority local authority areas.

In the published Impact Assessment it was estimated that costs for local authorities could range from £4,000 to £40,000. This assessment was aligned to the variable risk in different areas. It is not possible to predict how much support the remaining areas will require until they have carried out their risk assessments. **The Home Office therefore propose to allocate all non-priority local authorities a £10,000 one-off payment to cover activity required to commence the Duty.** Thereafter most activity should be mainstreamed into existing community safety and child safeguarding work.

The Home Office recognises, that some areas may require additional support to respond to the requirements of the duty. To cover this requirement, the Home Office will make available a national package of support. This will include:

- Access to training if required – including online access to WRAP (Workshop to Raise Awareness of Prevent);
- Regional Awareness Raising Events – 8 regional events held across England, Scotland and Wales directed at those most affected by the Duty
- An innovation fund – a public fund available to specified authorities, third sector groups and business to support the expansion of Prevent activity and to increase the number and range of local partners delivering Prevent work.
- A peer support group – a team of expert practitioners who will provide a dedicated source of expertise and best practice for bodies, particularly those who might be facing challenges in implementing the new requirements.
- Additional sector specific information – where required, provided by lead departments and sectors, to support implementation.

**OSCT Prevent
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