



HM Government



The Scottish
Government
Riaghaltas na h-Alba

Prevent Duty Guidance:
for further education
institutions in Scotland

This sector specific guidance for further education institutions in Scotland subject to the Prevent duty is additional to, and is to be read alongside, the general guidance contained in the Revised Prevent Duty Guidance issued on 16th July 2015.

Further education

1. Section 26(1) of the Counter-Terrorism and Security Act 2015 ("the Act") imposes a duty on "specified authorities", when exercising their functions, to have due regard to the need to prevent people from being drawn into terrorism. Certain further education bodies are subject to the section 26 duty. There is an important role for such further education institutions in helping prevent people being drawn into terrorism. Institutions should note that 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.
2. The further education institutions specified in Schedule 6 to the Act are the proprietors or governing bodies of any post-16 education body within the meaning of the Further and Higher Education (Scotland) Act 2005.
3. Most institutions already understand their Prevent-related responsibilities, especially in the context of ensuring the welfare of learners, staff and visitors and there are numerous examples of good practice in these areas. Compliance with this duty will reflect existing best practice and should not add significant new burdens on institutions. It is to be implemented in a proportionate and risk-based way.
4. To comply with the duty we would expect further education institutions to be delivering in the following areas.

External speakers and events

5. In order to comply with the duty all further education institutions should have policies and procedures in place for the management of events held on their premises. The policies should apply to all staff, students and visitors and clearly set out what is required for any event to proceed.
6. Every institution clearly needs to balance its legal duties in terms of both ensuring freedom of speech and also protecting student and staff welfare.
7. Encouragement of terrorism and inviting support for a proscribed terrorist organisation are both criminal offences. Institutions should not provide a platform for these offences to be committed.
8. Furthermore, when deciding whether or not to host a particular speaker, institutions should consider carefully whether the views being expressed, or likely to be expressed, constitute extremist views that risk drawing people into terrorism or are shared by terrorist groups. In these circumstances the event should not be allowed to proceed except where institutions are entirely convinced that such risk can be fully mitigated without cancellation of the event. This includes ensuring that, where any event is being allowed to proceed, speakers with extremist views that could draw people into terrorism are challenged with opposing views as part of that same event, rather than in a separate forum. Where institutions are in any doubt that the risk cannot be fully mitigated they should exercise caution and not allow the event to proceed.
9. We would expect institutions to put in place a system for assessing and rating risks associated with any planned events, which provides evidence to suggest whether an event should proceed, be cancelled or whether action is required to mitigate any risk. There should also be a mechanism in place for assessing the risks associated with any events which are college-

affiliated, funded or branded but which take place off their premises and for taking swift and appropriate action as outlined in paragraph 8.

10. Institutions should also demonstrate that staff involved in the physical security of the estate have an awareness of the Prevent duty. Where appropriate and legal to do so, an institution should also have procedures in place for the sharing of information about speakers with other institutions and partners.

11. But it is important to realise that the risk of radicalisation in institutions does not just come from external speakers. Much of this guidance therefore addresses the need for institutions to ensure staff have access to training, and that there is welfare support for students and effective IT policies in place which ensure that vulnerabilities can be recognised and responded to appropriately.

Leadership

12. In complying with this duty we would expect active engagement from college principals and the senior management of the institution with the range of *Prevent* partners including police.

13. We would also expect to see the appointment at a senior level of a single *Prevent* point of contact for each college.

14. Each college will demonstrate that they are engaged with the Scottish FE *Prevent* network at a senior level through Regional Chairs and Principals. A national strategic *Prevent* lead from both will represent the sector at the *Prevent* subgroup.

15. In addition, colleges will demonstrate that they have an awareness of, and – where appropriate – participate in local CONTEST or *Prevent* multi-agency groups. As well as any action plans agreed by each institution, these multi-agency groups will monitor delivery against the wider *Prevent* implementation plan.

Staff training

16. Compliance with the duty will also require the institution to demonstrate that it is willing to undertake *Prevent* awareness training and other training that could help staff and students to prevent people from being drawn into terrorism. Institutions should give relevant staff sufficient training to be able to recognise vulnerability to being drawn into terrorism, and be aware of what action to take. Student unions should also consider whether their staff and elected officers would benefit from *Prevent* awareness training.

17. We would expect the institution to have robust procedures both internally and externally for sharing information about vulnerable individuals (where appropriate to do so). This should include information sharing agreements where possible. These procedures should link to existing institutional policies relating to student welfare and safeguarding good practice.

18. Institutions must demonstrate that they have regard to the duty in the context of their relationship and interactions with student unions and societies. We would expect student unions and societies to work closely with their institution and to cooperate with the institution's policies relating to *Prevent*.

19. There is training available for further education staff. However, colleges may also have

a role to play in developing additional *Prevent* training tools that may better suit the individual circumstances of the institution and make best use of their own expertise. Where additional training tools have been developed, institutions should consider how best to use them.

20. Examples of good practice should be provided and could be disseminated to college *Prevent* leads by the Colleges Development Network.

Safety online

21. We would expect colleges to have policies relating to the use of its IT facilities. Whilst all institutions will have policies around general usage, covering what is and is not permissible, we would expect these policies to contain specific reference to the statutory duty. Many educational institutions already use filtering as a means of restricting access to harmful content, and should consider the use of filters as part of their overall strategy to prevent people from being drawn into terrorism.

22. To enable the college to identify and address issues where online materials are accessed for non-research purposes, we would expect to see clear policies and procedures for students and staff working on sensitive or extremism-related research. Guidance is available to help with this.

Welfare and Pastoral care

23. Colleges have a responsibility to care for their students and we would expect there to be sufficient pastoral support for all students according to the needs of the particular institution.

24. We would expect the institution to have clear and widely available policies for the use of prayer rooms and other faith-related facilities. These policies should outline arrangements for managing prayer and faith facilities (for example an oversight committee) and for dealing with any issues arising from the use of the facilities.

25. The policies and procedures should clearly

set out the times and availability of such facilities and how out of hours access is managed.

Monitoring and enforcement

26. As detailed in section D of the *Prevent* Duty Guidance: for Scotland, both local multi-agency CONTEST groups and the national *Prevent* and CONTEST governance structures will have a role to play in determining how the duty is being implemented and complied with in institutions.

27. In order to ensure that colleges are complying with this duty there will also be a role for the Education Scotland college inspection team covering all publicly funded further education colleges and independent training providers. Inspectors evaluate colleges annually through annual engagement visits. Colleges are also subject to external review every four years. Inspectors would follow existing safeguarding processes were any extremism-related issue to arise.

28. There may also be a role for other organisations in monitoring the compliance of further education institutions with the duty.

