Prevent Duty Guidance:
Summary of Responses to the Consultation

March 2015

HM Government

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Introduction

Introduction

1. This document describes the consultation process on the guidance for the *Prevent* statutory duty that began on 18 December 2014 and ran for six weeks. The consultation closed on 30 January 2015. It also summarises the responses to the consultation. The six week duration of the public consultation reflected the fact that the Counter-Terrorism & Security Act was fast tracked through the legislative process.

2. The decision to bring forward and enact legislation at the earliest opportunity was made to ensure that the police, and security and intelligence agencies, have the legal powers and capabilities they need to stop people travelling to fight in Syria and Iraq, to tackle this terrorist threat. The scale of the threat is unprecedented. Nearly 600 people from the UK who are of interest to the security services are thought to have travelled to the region since the start of the conflict.

The Consultation Process

3. The consultation sought views on the guidance from the broad range of sectors and bodies that are covered by the Prevent duty. Whitehall departments also consulted their principal partners.

4. Responses to the consultation were submitted via an online questionnaire available on the GOV.UK website, via a dedicated email and postal address, and a number of consultation events were held across the country with representatives from the sectors that are covered by the duty. All contributions were considered as part of the review and the development of the revised *Prevent* statutory duty guidance.

The Responses

5. 1,792 written responses were received, and 316 delegates attended the consultation events.

6. The consultation events generated constructive and informative debate on what delegates would like to see in the guidance to help with implementation of the duty, what additional examples should be included in the guidance and additional suggestions for how monitoring and enforcement of the duty might operate. Written contributions were wide-ranging and valuable. As a whole, contributions to the consultation represented an important part of the information considered in the process of developing the statutory guidance and will be used in the implementation of the duty.

Online questionnaire

7. The online consultation questionnaire was available on the GOV.UK website from 18 December 2014 until 30 January 2015. Respondents were invited to answer the same 25 questions that were outlined in the *Prevent duty guidance: a consultation, December 2014*.

8. 175 responses were received via the online questionnaire. Levels of response to each of the 25 questions varied. Each of the 175 respondents completed at least one of the questions. Respondents were not required to declare their location, profession or role, but some of the respondents identified themselves as working within a specific sector or as members of the general public with an interest in *Prevent.*

Email and postal submission

9. 1,617 responses to the consultation were received from individuals and organisations via email and post. A list of those who made written contributions is provided at Annex A. Local Authorities were the largest identifiable group of respondents submitting responses in this way, followed closely by Higher Education and Health bodies.

Regional Events

10. 316 delegates attended four consultation events in Manchester, Cardiff, Birmingham and London. Delegates who participated in these events included a wide range of representatives from the sectors and bodies that will be covered by the statutory duty. Local Authorities and Health were the largest identifiable groups represented at the events.

11. At the events, approximately three hours was allocated to the discussion of three questions around what delegates would like to see in the guidance to help them implement the duty, additional examples of good practice to be included in the guidance and additional suggestions for how the monitoring of the duty might operate.

Other Events

12. Meetings were held with local authority representatives and the Local Government Association, and university representatives at the Department for Business Innovation & Skills.

Summary of Responses

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13. The following is intended to provide a summary of responses received either in written form or captured from discussion at the consultation events. Since submissions to the consultation were often provided in different formats, answering all, some or none of the questions asked in the draft guidance and online questionnaire, we have summarised responses based on the key themes and issues that emerged.

14. There will be some overlap in the themes and issues covered in the subheadings below. For example, implementing the duty will require training. Issues relating to both "implementation" and "training" are covered under separate subheadings rather than being placed together given the number and nature of responses on training.

Scope and definitions

15. The Prevent statutory duty is designed to place *Prevent* on a statutory footing. The Prevent Strategy, June 2011 provides further details around the objectives of Prevent.

16. One of the issues that attracted some comment was the definition of "extremism" and "British values". The Prevent Strategy published in June 2011 defines these terms in the following ways. Extremism is *"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. British values include universal human rights, equality before the law, democracy and full participation in our society."*

17. Despite these terms being explained in the 2011 *Prevent* strategy either in the body of the text in the strategy or the glossary of terms, many comments added that the term "extremism" required definition or further definition and that the term "British values" required more clarity. While it was clear that these terms were not being newly introduced by the guidance, some respondents maintained that the term "British values" was vague. There was also further clarity asked for on what it meant for bodies to have "due regard".

18. Perhaps the most high profile issue arising from the consultation was the interaction between the *Prevent* statutory duty and the existing duty on universities to promote freedom of expression prompted many responses. Some were concerned that the statutory duty might impact on the right to freedom of expression within universities. These concerns were aired during the consultation events and through the online and email responses.

19. During the passage of legislation through Parliament, amendments were made to the Act. One of these was to ensure that the *Prevent* duty require higher and further education institutions to have particular regard to the duty to secure freedom of speech imposed by section 43(1) of the Education (No. 2) Act 1986 when considering all the factors they need to consider when complying with the *Prevent* duty. It also requires institutions to have particular regard to academic freedom as described in section 202 of the Education Reform Act 1988 when carrying out the *Prevent* duty. It also places a duty on the Secretary of State to have particular regard to the freedom of speech duty and the importance of academic freedom when issuing guidance or when giving directions to these educational bodies. Guidance is available from Universities UK to support institutions to make decisions about hosting events and putting proper safeguards in place.

20. A very significant number of email responses were received which suggested that the expression of religious belief or the manifestation of that belief in certain contexts, for example schools and universities, might be impacted by the Prevent duty. Many of these respondents did not have sufficient confidence in front line staff to be knowledgeable or well trained enough to apply the duty in a manner that did not undermine their right to religious expression.

Risk assessments and information sharing

21. One of the issues that featured prominently in the consultation events and through email responses, particularly from local authorities but not exclusively from them, was the desire to improve information sharing, particularly via the Counter-Terrorism Local Profiles (CTLPs).

22. Respondents to the consultation made a number of points. Firstly, that CTLPs were not easily accessible by the range of staff that needed to see them, secondly that the quality of CTLPs was unsatisfactory and/or inconsistent, and thirdly that they wanted a wider set of partners to contribute to the development of

CTLPs. Consequently the view expressed by some was that CTLPs do not give a full enough assessment of the risks in local areas.

23. A few respondents posited the idea that memoranda of understanding and community tension reports might also contribute to the assessment of risk. Respondents elaborated on this by suggesting that a Memorandum of Understanding setting out info sharing and cooperation between health, education, probation and the voluntary and community sector might be helpful. Others suggested that bespoke CTLPs should be produced for each sector.

Implementation

24. Given the broad nature of this theme there were a number of diverse issues that were raised around implementation.

25. Respondents discussed the need for *Prevent* work to be integrated into existing safeguarding mechanisms or simply for the link between *Prevent* and safeguarding to be made more explicit. Some respondents felt that while references were made to child safeguarding, the guidance should also reference adult safeguarding.

26. The importance of working with faith groups and other community partners was highlighted by some respondents at consultation events and email responses. One of these respondents considered that it was critical to consider the socially isolated "hard-to-reach" groups with limited touching points on the public sector.

27. There was also a call from some respondents for reassurance that the duty would not impose an undue burden on bodies given that this duty would come on top of other strands of work. Whether the duty was being met should be determined in a proportionate way. A number of respondents at the events pointed out that establishing access to out-of-school settings and the home education environment would be a significant challenge.

28. Some respondents wanted greater clarity and specificity, asking for minimum standards, clearer outcomes and criteria for success. Others asked for flexibility and the recognition that each area or institution would need the space to develop an approach to implementing the duty. Many of the respondents called for further guidance on how to implement the objectives at a local level.

29. Better communication of the strategy was the other prominent issue raised in responses. The pace at which the legislation was moving through Parliament had left some bodies, particularly some local authorities with anxious local community partners. Some community respondents made clear their concern that front line workers might not be sufficiently knowledgeable or well trained to distinguish between extremism on the one hand and normative religious practice on the other.

30. Some of the suggestions were more specific. Respondents wanted templates for risk assessments, action plans and flow charts. Some respondents asked for more clarity about what is required from non-priority areas where there is no local authority *Prevent* Coordinator to help assess risk.

31. Some of the more sector specific feedback included widespread concern that requiring any external academic or speaker to have a presentation ready within 14 days of presenting would be impractical.

32. A number of local authority respondents suggested that Government would need to specify the approach to be taken in 2 tier areas especially where one is a priority area, otherwise there was a risk of disengagement from the non-priority area.

Training

33. The primary response around training was simply that more was needed. Respondents appeared to appreciate the scale of the challenge in training a significant number of staff across different sectors.

34. Some respondents were concerned about the need to ensure that in the decision-making process around the power to make directions, the Home Office considered the need to allow time for those covered by the duty to secure the relevant training for staff. Some respondents felt that it was unclear how many staff were required to receive training

35. A question that arose during the consultation events, in online responses and email responses was around who should receive training. Some respondents asked what the requirement to train "student facing" staff meant in the education context. Ensuring that training takes account of sector specific circumstances is also important according to one respondent who commented that awareness training needs to have health cases that relate to the point of any presentation.

36. Given that training around WRAP (Workshops to Raise Awareness of Prevent) required resources to undertake, some respondents asked for the Government to be realistic about what could be achieved in any given time frame. A number of respondents made the additional point that in training more staff the quality of the training must not suffer. Consideration should be given to the accreditation or introduction of clear standards for training across all partners, to ensure it is fit for purpose and consistent across all sectors.

37. There were also some examples of good practice. One university responded that it had made extensive use internally of WRAP training for specifically identified staff and is at present in discussion with relevant agencies to tailor that to the specific context of their institution. Other sectors have tailored WRAP for their particular context. We also heard of examples of non-funded areas receiving WRAP training from neighbouring funded areas as a way of non-funded areas.

38. A number of respondents were clear that those carrying out inspections and monitoring needed not only *Prevent* training, but also Equalities and faith/cultural awareness training. Taking all these responses into account suggests that training, whether it is WRAP, other Prevent awareness raising training or equalities and faith awareness training, needs to be promoted to cover the range of bodies covered by the duty, and those monitoring the duty, to ensure proportionate and effective implementation. A number made the point the role of faith as a potentially positive influence needs to come across more strongly as part of any training packages.

Resources

39. An issue consistently raised by many respondents was around funding. Whether additional funding would be available was of interest to all the sectors that are covered by the duty, with some respondents making the point that the additional responsibilities placed on them by the duty were coming at a time of financial pressure. Some of the delegates at the consultation events identified ways in which non *Prevent* funded areas were able to work efficiently without *Prevent* funds, for instance by utilising existing multi-agency partnerships that dealt with gangs or community safety.

40. Some were worried that what was perceived as extra work would fall on those with an adult safeguarding role. Others reported that the cost of compliance with the duty was being underestimated. Non Prevent funded areas wanted to know how they would be supported to deliver *Prevent.*

41. Some respondents also wondered whether the existing allocation of *Prevent* funding as between different sectors, for example the police and local authorities, was right. Some respondents built on this to make the point that shifting the perception that Prevent is police led to local authority and community led might necessarily entail a rebalancing of funding.

42. Other responses highlighted the importance of communicating with senior leaders with decision-making powers around resources to ensure that *Prevent* is taken into account when budgets are being determined. This was said to be particularly important in non-funded areas.

Roles

43. There were some issues raised around the role of different individuals and how they relate to the institutions and structures that *Prevent* operates in. Some of these issues overlap with questions around the monitoring of *Prevent* but some of these can also be seen in a broader context. An example of this can be seen in the response from one respondent from a schools background who wanted clarification on whether schools would be accountable to the Home Office, Department for Education or local authority *Prevent* Coordinators, and the nature of the relationship they should have with these different departments and individuals.

44. Clarity was also requested on the division of labour between local authority *Prevent* Coordinators and Higher Education/Further Education *Prevent* Coordinators to make it clearer where each coordinator might play a leading role or a supporting role.

45. Other respondents wanted clarity on issues of leadership, governance and accountability. This was of particular interest in Wales where there was a need to consider the relationships between the various Prevent boards on the one hand and the legislative and policy frameworks on the other.

46. Some respondents stated that the guidance should make clear the role of the Channel programme given its essential part in the delivery of *Prevent*. There was also feedback from respondents which suggested that the role of the health sector should be specified in Channel panels to ensure greater engagement.

Additional bodies

47. The consultation asked for suggestions around other bodies which ought to be covered by the *Prevent* duty that are currently not covered. The majority of responses in this area came from the health sector. Those that respondents suggested should be covered included Clinical Commissioning Groups, private providers, General Practitioners, Ambulance services and dental services.

48. A number of respondents also pointed out that Fire services should be covered by the *Prevent* duty.

49. A significant number of respondents from the education sector queried the exclusion of colleges with less than 250 learners (private FE establishments). These respondents felt that consideration needs to be given to how these institutions will be held accountable. It was said that some of these colleges attract overseas fee paying students who could be vulnerable.

50. At one consultation event it was suggested that registered social landlords and other voluntary sector bodies be covered by the *Prevent* duty. Registered social landlords have regular contact with communities members and the respondent has reported that he had seen referrals come in from this sector in the past.

Monitoring

51. Many respondents stated that the delivery of the *Prevent* duty would require effective central coordination, not just from the Home Office but also other key Departments such as the Departments for Education and Health. This was echoed by a number of respondents.

52. Some respondents sought more clarity on what would be monitored and what mechanisms would be in place for monitoring. One such respondent asked for a compliance checklist. A few respondents asked for further clarification on exactly how monitoring bodies will inspect issues around fundamental British values.

53. There were some strong voices that cautioned against a resource heavy approach that might be considered overly bureaucratic and cumbersome. While accepting the requirements of the *Prevent* duty some respondents wanted recognition that Government had provided a commitment to reduce the inspection burden on local authorities and the reduction in budgets and staff resources.

54. On the basis that extremists don't confine themselves to priority areas one suggestion was that non-priority areas should be dip sampled.

55. Most respondents called for monitoring and enforcement at a sector specific level to be undertaken by existing inspectorates and regulators. However there were a minority of respondents who called for a consistent national body to have oversight of monitoring and enforcement. At least part of the rationale for this appeared to be the lack of confidence in some of the existing inspectorates and regulators. These respondents felt that an additional body with the right skills and expertise was required. Some of these respondents believed that such a board should sit outside of and be independent of Government.

56. Some respondents within the local authority context suggested that peer reviews would be an effective way to monitor compliance. A peer review function could sit within a local authority or representative organisations, building capacity in the sector from within.

57. Taking account of the feedback from the consultation events, online questionnaire and email responses it was clear that the majority of respondents agreed that the Office for Standards in Education (OFSTED) and the Higher Education Funding Council for England (HEFCE) should have a key role in monitoring compliance with the *Prevent* duty. There were a few responses that suggested that the Skills Funding Agency, in the case of further education colleges, could also have a role to play.

58. Some respondents reported that in the health sector the Care Quality Commission could play a role in monitoring. They already monitor safeguarding adults. However most of the respondents from a background in the health sector suggested Monitor as the key body that could monitor compliance with the *Prevent* duty.

59. Respondents from Wales made the point that inspectorate bodies in Wales could be different to those operating in England. For instance Estyn, HM Inspectorate for education and training in Wales, play a role in the inspection of safeguarding.

Good practice

60. We received a number of examples of good practice through email responses. The consultation events and the online questionnaire did not provide many examples.

61. One local authority has helped to support a local substance misuse provider to incorporate wider safeguarding vulnerabilities including *Prevent* vulnerabilities into their service. By doing so local authorities' safeguarding processes, including Channel and multi-agency safeguarding hub, will have more extensive reach and engagement into communities developing much needed referral pathways from non-statutory sources.

62. The same local authority is introducing a robust policy to prevent the misuse of Council owned or managed facilities, with communities helping to play an important part in identifying and challenging extremist speakers.

63. Other local authorities proposed that schools establish links with local faith institutions to bolster pupil's theological resilience to troubling narratives. This channel of support is already routinely encouraged in certain local authorities, though this could also be rolled out nationally.

64. Another local authority cited work with local supplementary schools. There are over 50 registered supplementary schools in the local authority of which 22 are Madrassahs (Islamic supplementary schools). They are using effective teaching courses to develop teaching practices in these schools.

65. There were other examples mentioned. One of the key points made by many respondents was a desire to see more examples of good practice and to be able to share that good practice using different forums. A few respondents cited examples of such forums while others suggested setting up an online space for this purpose.

Other themes and issues

66. A number of additional themes and issues were raised in the consultation. One of these was the weighting given to international terrorism against other forms of extremism, particularly Right Wing Extremism. It was suggested that this adds to the perception that *Prevent* and Channel are aimed at British Muslim communities.

67. There were also responses which commented on the drafting of the guidance and suggested that the focus on specific sectors might detract from the multi-partnership approach that is required to successfully implement *Prevent* programmes.

68. Many respondents wanted to see references to related policies or strategies, for examples equalities and community cohesion.

Annexes

Annex A: Groups that Submitted Written Contributions

In addition to those who filled out the online questionnaire or attended a regional event, responses were also received via email or post from the following organisations. This list does not include secondary submissions (i.e. documents not originally written or produced for the review but submitted for consideration), nor does it name those who have submitted a response in a personal capacity. Those who did so included members of the general public, community representatives, civil servants, police and Local Authority employees.

Local Authorities and Councils

Aylesbury Vale District Council
Barnsley District

Birmingham City Council

Blackburn with Darwen Council

Bracknell Forest Council

Brent Council

Brighton & Hove City Council

Bucks County Council

Bury Council

Camden Borough Council

Central Bedfordshire Council

Cheshire West and Chester Council

Chichester District Council

Chiltern and South Bucks District Councils

City and Council of Swansea

City of Lincoln Council

Broxbourne Council

Crawley Borough Council

Darlington Borough Council

Durham County Council

Ealing Council and Ealing Partnership Against Radicalisation and Extremism

East Sussex County Council

Essex County Council

Gateshead Council

Gloucestershire County Council

Gravesham Borough Council

Hackney Council.

Hambleton and Richmondshire District Councils

Haringey Council

Hertfordshire

Islington Council

Kent County Council

Knowsley MBC

Lincolnshire County Council

Liverpool City Council

London Borough of Barnet

London Borough of Camden

London Borough of Hammersmith & Fulham and Royal Borough of Kensington and Chelsea

London Borough of Harrow

London Borough of Hounslow

London Borough of Lambeth

London Borough of Redbridge

London Councils

Luton Borough Council

Manchester City Council

Milton Keynes

Newcastle City Council

Newport City Council

Northumberland County Council

Nottingham City Council

Oxfordshire County Council

Peterborough Council

Redbridge Equalities and Community Council

Sheffield City Council

Slough Borough Council

Somerset County Council

South Holland District Council in Lincolnshire

Staffordshire County Council

Sussex County Council

Thanet District Council

Waltham Forest Council

Westminster City Council

Wolverhampton City Council

Worcester City Council

Wycombe District Council

Wyre Forest District Council.

Higher Education

Council of Buckinghamshire New University

AMOSSHE, the student services organisation

Birmingham City University

Bournemouth University

British Academy

Buckinghamshire New University

Canterbury University

Coventry University

Cranfield University

Durham University

Edinburgh Napier University

Glasgow University Students Council

Goldsmiths College, University of London

Higher Education Funding Council for England

Higher Education Funding Council for Wales

Imperial College London

Imperial College London Clubs and Societies

Lancaster University

London Higher

London Metropolitan University

London Southbank University

London School of Economics

Northumbria University

Nottingham Trent University

National Union of Students

Oxford Brookes University

Queen Mary University of London

Royal Holloway, University of London

Russell Group

Salford University

Southampton Solent University

Staffordshire University

Teeside University

University College London

Universities UK

University and College Union

University of Bath

University of Bedfordshire

University of Birmingham

University of Birmingham Guild of Students

University of Bolton

University of Bradford

University of Cambridge

University of Cumbria

University of Derby

University of Edinburgh

University of Essex

University of Glasgow

University of Gloucestershire

University of Hertfordshire

University of Kent

University of Leeds

University of Liverpool

University of Nottingham

University of Roehampton

University of Sheffield

University of South Wales

University of Southampton School of Medicine

University of Surrey

University of the West of England

University of Wolverhampton

Further Education

Blackpool and Fylde College

Bournemouth and Poole College

Central College Nottingham

College Wales

Education & Skills Policy

Exeter College

Imperial College Union

Kirklees College

National Council of Faiths and Beliefs in Further Education

North East Scotland College

Peterborough Regional College

Pre-school Learning Alliance

Sixth Form Colleges' Association

South Leicestershire College

Study UK

Waltham Forest College

Schools and Early Years

Pre-school Learning Alliance

4Children

Abbey Park Middle School

Ark Burlington Danes Academy

Assoc for Professional Development in Early Years

Association of School and College Leaders

Catholic Education Service

Colchester Royal Grammar School

G4S Children's Services

Gillespie Primary School

Independent Schools Council

London Diocesan Board for Schools

National Day Nurseries Association

National Union of Teachers

Plantings School

The New School at West Heath

Training Depot Day Nursery

Health

Betsi Cadwaladr University Health Board

Birmingham Community Health Care Trust

Brighton & Hove Clinical Commissioning Group

British Association of Prosthetists and Orthotists

Care Quality Commission

Central Nursing

Christian Medical Fellowship

Coventry & Rugby Clinical Commissioning Group

Croydon Clinical Commissioning Group

East and North Hertfordshire NHS Trust

East Cheshire NHS Trust

East Midlands Ambulance Service NHS Trust.

Frimley Health NHS Foundation Trust

Hertfordshire Valleys Clinical Commissioning Group

Imperial College Healthcare

Kent Community Health NHS Trust

Knowsley Clinical Commissioning Group

Lancashire Care NHS Foundation Trust

Leeds and York NHS Partnership Foundation Trust

Leicestershire Partnership NHS Trust

Liverpool Clinical Commissioning Group

Liverpool Community Health NHS Trust

Mid Yorkshire NHT Trust HQ

Monitor

NHS Borders

NHS Camden Clinical Commissioning Group

NHS Chiltern and Aylesbury Clinical Commissioning Groups

NHS Dorset Clinical Commissioning Group

NHS East Surrey Clinical Commissioning Group

NHS England

NHS England (London region)

NHS Hastings and Rother Clinical Commissioning Group

NHS Leeds South and East Clinical Commissioning Group

NHS Lewisham Clinical Commissioning Group

NHS Nene and Corby Clinical Commissioning Group

NHS Providers

NHS West Kent Clinical Commissioning Group

North East Ambulance Service NHS Foundation Trust

Northern Devon Healthcare NHS Trust

Northumberland, Tyne & Wear NHS Foundation Trust

Nottinghamshire Healthcare NHS Trust

Nursing and Midwifery Council

Royal College of Anaesthetists

Royal College of General Practitioners

Royal College of Pathologists

Royal College of Physicians and Surgeons of Glasgow

Royal College of Physicians of Edinburgh

Royal United Hospitals Bath NHS Foundation Trust

Salisbury NHS Foundation Trust

Sandwell & West Birmingham Hospitals NHS Trust

Sheffield Health & Social Care NHS Foundation Trust

Southern Health NHS Foundation Trust

The Christie NHS Foundation Trust

University Hospital Leicester NHS Trust

West Hertfordshire NHS Trust

Police Forces

Force Specialist Force Command

Humberside Police

Lincolnshire Police HQ

North Yorkshire Police

Criminal Justice

Association of Youth Offending Team Managers

Chaplaincy HQ NOMS

Cheshire & Greater Manchester CRC

Head of Probation - Walsall & Wolverhampton CRC

HMP Littlehey

HMP Wormwood Scrubs

Humberside, Lincolnshire and North Yorkshire CRC

Immigration Removal Centre, Morton Hall

National Probation Service, London

Wales Community Rehabilitation Company

Young Peoples Estate, Central Team, NOMS

Youth Justice Board

Local Partnerships and Networks

Manchester Prevent Partnership

Local Government Association

Safer Croydon Partnership

Safer Portsmouth Partnership

Safer Sutton Partnership Service

Others

Asian Fire Service Association

Bible Theology Ministries

Bright Horizons Family

Building the Bridge

Cambridge Palestine Solidarity Campaign

Christian Concern

Education Division and National Society, Church of England

Foundation4Peace

Greater Manchester Fire & Rescue Service

Jews for Boycotting Israeli Goods

Mayor of Bristol

Minister, Trinity Church York

Muslim Council of Britain

National Institute for African Studies

Society of Chief Librarians

Stand Against Racism & Inequality (S.A.R.I.)

The Christian Institute

UK Safer Internet Centre

Waltham Forest Council of Mosques

West Midlands Fire Service