

Monitoring the Prevent Duty of Relevant Higher Education Bodies

Department for Business, Energy & Industrial Strategy - Higher Education Funding Council for England

RPC rating: validated

Description of proposal

Under the Counter Terrorism and Security Act 2015, relevant higher education bodies (RHEBs) have a duty to take action to prevent people from being drawn into terrorism. RHEBs are required to:

- prepare a proportionate action plan to mitigate risk associated with Prevent;
- have welfare support systems in place and facilitate information-sharing about vulnerable individuals when appropriate;
- have processes in place to assess risk related to external speakers;
- ensure senior managers are engaged with the Prevent duty;
- implement an IT usage policy which covers the Prevent duty;
- ensure that student unions and societies are aware of, and are consulted on policies concerning activities on campus.

The Higher Education Funding Council for England (HEFCE) is responsible for monitoring RHEBs compliance with the Prevent duty.

Impacts of proposal

HEFCE estimates that 321 higher education institutions (HEIs) have been affected by this measure. These comprise: 127 HEFCE-funded institutions, 108 alternative providers (APs) and 86 autonomous colleges and other providers.

As a result of the policy, all providers had to prepare comprehensive documentation showing that they had responded to the statutory requirements. This included preparing a Prevent risk assessment, action plan, and external speakers and events policy. In addition, while most HEFCE-funded providers had already been familiar with the Prevent agenda, most of the alternative providers had to familiarise themselves with it. Finally, all providers had to put in place a plan for providing initial and on-going training to key staff. The impact estimates in the assessment are based on consultation responses from 66 HEIs, 31 APs and 33 autonomous colleges, including their estimates of resource costs of activities and training related

to the Prevent duty. HEFCE also make use of administrative data on wages in the HE sector. Total costs are set out in the table below.

NPV	HEFCE-funded HEIs	Alternative providers	Autonomous colleges and other providers	Total
Cost of time spent on Prevent (excluding training)	£19.4 million	£5.1 million	£4.0 million	£28.4 million
Cost of time spent on Prevent training	£12.1 million	£3.6 million	£2.6 million	£18.3 million
Total	£31.5 million	£8.7 million	£6.5 million	£46.7 million

Direct costs to business are estimated to be £46.7 million over ten years in present value terms.

The RPC verifies the estimated equivalent annual net direct cost to business (EANDCB) of £5.4 million. This will be a qualifying regulatory provision that will score under the business impact target.

Quality of submission

The assessment provides a clear, concise and proportionate analysis of the impact of the policy. It presents relevant information in an accessible way and describes the policy in sufficient detail. The approach to quantifying impacts appears appropriate.

The quality of the assessment would have been improved had a discussion of benefits of the measure been included. HEFCE argues that the positive impacts of Prevent monitoring cannot be quantified. Although societal impact analysis is not required for measures introduced by regulators, the assessment could have described the benefits of this measure to the wider society in qualitative terms.

In addition to the costs to higher education providers, the Prevent duty might have a negative impact on third sector organisations such as student unions and on individual students themselves. The contentious nature of some of the provisions of the measure warrants careful consideration of these potential wider effects. Therefore, the assessment would have benefitted from briefly describing whether the measure imposes burdens on third party organisations and, although this is not a formal requirement, on individuals.

Issues addressed following RPC's initial review

As initially submitted, the assessment raised one issue that meant that the RPC did not consider it fit for purpose. Following the RPC's initial review, the Department submitted a revised IA that responds to the points below.

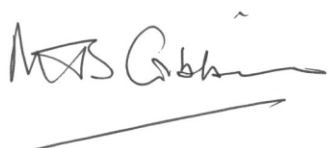
- As first submitted, the assessment did not estimate the costs of activity recorded in the "other" staff category. The revised submission includes these costs in the EANDCB calculations.

Departmental assessment

Classification	Qualifying regulatory provision (IN)
Equivalent annual net direct cost to business (EANDCB)	£4.7 million (initial estimate) £5.4 million (final estimate)
Business net present value	-£46.7 million

RPC assessment

Classification	Qualifying regulatory provision (IN)
EANDCB – RPC validated ¹	£5.4 million
Business Impact Target (BIT) Score ¹	£27 million



Michael Gibbons CBE, Chairman

¹ For reporting purposes, the RPC validates EANCB and BIT score figures to the nearest £100,000.