

For Publication

DERBYSHIRE COUNTY COUNCIL

PLACES IMPROVEMENT AND SCRUTINY COMMITTEE

23 February 2022

Report of the Executive Director Corporate Services and Transformation

Prevent and Channel

1. Purpose

- 1.1 To inform Members of the statutory duties imposed by the Counter Terrorism and Security Act 2015 (amended by the Counter Terrorism Border Security Act 2019) and subsequent statutory Prevent Duty and Channel guidance and to update on the activities to comply with those duties and next steps over the forthcoming period.

2. Information and Analysis

- 2.1 Prevent is one of four strands of CONTEST 2018, the Government's counter-terrorism strategy.
- 2.2 Section 26 of the Counter-Terrorism and Security Act 2015 (amended by the Counter Terrorism Border Security Act 2019) - CT&S Act - places a duty on Local Authorities including. District and Borough Councils; Schools; Colleges; Higher Education Institutions; Health Bodies (NHS Trusts and NHS Foundation Trusts); Prisons; National Probation Service; Community Rehabilitation Companies; Young Offender Institutions; under-18 secure estate and the Police including Police and Crime Commissioners to consider the need to safeguard people from being drawn into terrorism.
- 2.3 In addition to these 'Specified Authorities', 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.

- 2.4 Other authorities, including stand-alone fire and rescue authorities, are not listed in the Act and are not subject to the duty, but it is anticipated, considering their wider prevention role, that in many areas they will be partners in local efforts to prevent people from being drawn into terrorism.
- 2.5 The objectives of Prevent are to:
- Tackle the causes of radicalisation and respond to the ideological challenge of terrorism
 - Safeguard and support those most at risk of radicalisation through early intervention, identifying them and offering support
 - Enable those who have already engaged in terrorism to disengage and rehabilitate.
- 2.6 CONTEST 2018 sets out that Local Delivery will do this by:
- Focusing activity and resources in those locations where the threat from terrorism and radicalisation is highest
 - Building stronger partnerships with communities, civil society groups, public sector institutions and industry to improve Prevent delivery
 - Re-enforcing safeguarding at the heart of Prevent to ensure our communities and families are not exploited or groomed into following a path of violent extremism.
- 2.7 As a guidance tool the Home Office has developed the Prevent Duty Toolkit, with ten benchmarks. It is that document that supports the work in the Local Authority area.
- 2.8 Section 36 of the CT&S Act places a duty on local authorities to ensure that a Channel Panel is in place for their area. This should constitute a single panel, with a single chair, covering the needs of adults and children.
- 2.9 Section 37(5) of the CT&S Act requires Channel Panels to be chaired by the responsible local authority (that is, the authority responsible for ensuring a panel is in place). Members of the panel must include the responsible local authority and the police for the relevant local authority area under section 37(1) of the CT&S Act, and they have principal responsibility for Channel in their areas.

- 2.10 In the case of two-tier authorities, it is the responsibility of the county council to chair the panel and take on all the responsibilities as detailed in the Channel Duty Guidance 2020.
- 2.11 Section 41(3) of the CT&S Act makes provision for two or more local authorities to have a panel in place for a combined area, allowing for proportionate and efficient use of resources. Derby and Derbyshire has a combined panel.
- 2.12 Channel is a key element of the delivery of Prevent which focuses on providing multi-agency support, at an early stage, to people who are identified as being vulnerable to being drawn into terrorism. In November 2020, the Government published revised Channel Duty guidance. This guidance strengthens the role that local authorities play in the Channel process, placing the following requirements on upper tier local authorities. The Chief Executive is required to:
- Designate a Chair and Deputy Chair with the necessary authority
 - Be satisfied that the Chair and Deputy have the required skills and experience
 - Sign an annual assurance statement – to be submitted to the Home Office

In addition, there is a requirement to:

- Establish a clear governance structure – this can be joint with another area if appropriate
 - Establish an escalation process
 - Consider Channel as part of the Scrutiny process on an annual basis
 - Ensure the practical running of the meeting and administration
 - Make reference to Channel in the Council's Constitution
- 2.13 The Home Office developed the Channel Assurance Statement with five themed requirements. The Local Authority is required to complete and submit this on an annual basis. The Assurance Statement document evidences the Channel activity in the Local Authority area.
- 2.14 The County Council has made significant progress towards ensuring the statutory requirements are highlighted above met. These are outlined in the presentation which is attached as Appendix 2 and an update on the current position will be provided in the meeting itself.

3. Consultation

3.1 N/A

4. Alternative Options Considered

4.1 The Council could agree not to follow the guidance as above. However, as it is a legislative requirement, the Council would not be meeting its statutory duty.

5. Implications

5.1 Appendix 1.

6. Background Papers

7. Appendices

7.1 Appendix 1- Implications.

7.2 Appendix 2 – Presentation Slides.

8. Recommendation(s)

That Committee:

- a) Notes the statutory duties imposed on the Council by the CT&S Act to have due regard to the need to prevent people becoming involved in terrorism.
- b) Notes the work completed and the progress made, to support implementation of the statutory guidance within Derbyshire.

9. Reasons for Recommendation(s)

- 9.1 To ensure Members are informed of the statutory duties imposed by the CT&S Act 2015
- 9.2 To fulfil the requirement for Channel and Prevent to be delivered to Scrutiny

Report Author Christine Flinton

Contact details: Christine.flinton@derbyshire.gov.uk

|

Appendix 1

Implications

Financial

1.1 None directly arising from this report.

Legal

2.1 The obligations on local authorities regarding the provision of an appropriately chaired panel and as detailed in this report are specified in sections 36 and 37 of the CT&S Act 2015

Human Resources

3.1 The role of Vice Chair of the Derby and Derbyshire Channel Panel will be a designated duty of the Head of Community Safety.

Information Technology

4.1 None identified

Equalities Impact

5.1 As this is a report to note and appropriately address requirements under the CT&S Act 2015, no equalities impact assessment has been prepared. However, in undertaking statutory duties, the Local Authority is required to have due regard to the Public Equality duty.

Corporate objectives and priorities for change

6.1 None directly arising from this report.

Other (for example, Health and Safety, Environmental Sustainability, Property and Asset Management, Risk Management and Safeguarding)

7.1 None directly arising from this report.

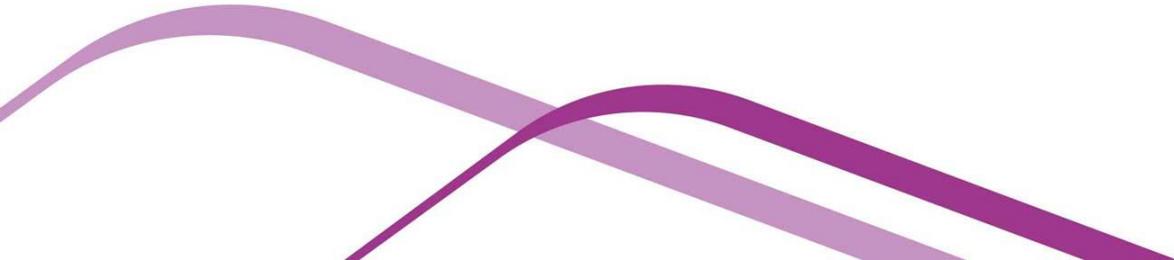
Appendix 2 – Presentation

Prevent and Channel

Places Improvement and Scrutiny Panel

February 2022

Christine Flinton – Head of Community Safety
Alison Chandler – Senior Community Safety Officer – Prevent Lead



Counter Terrorism Security Act 2015

- Section 26 of the Counter-Terrorism and Security Act 2015 (amended by the Counter Terrorism Border Security Act 2019) - CT&S Act - places a duty on specified authorities to consider the need to safeguard people from being drawn into terrorism.

Prevent

- Prevent is one of four strands of CONTEST 2018, the Government's counter-terrorism strategy.
- The objectives of Prevent are to:
 - Tackle the causes of radicalisation and respond to the ideological challenge of terrorism.
 - Safeguard and support those most at risk of radicalisation through early intervention, identifying them and offering support.
 - Enable those who have already engaged in terrorism to disengage and rehabilitate

Prevent

- **CONTEST 2018** sets out that **Local Delivery** will do this by:
 - Focusing activity and resources in those locations where the threat from terrorism and radicalisation is highest.
 - Building stronger partnerships with communities, civil society groups, public sector institutions and industry to improve Prevent delivery.
 - Re-enforcing safeguarding at the heart of Prevent to ensure our communities and families are not exploited or groomed into following a path of violent extremism.

Prevent Duty Toolkit

Duty

- DCC has a local risk assessment process reviewed against the Counter Terrorism Local Profile
- There is an effective multi-agency partnership board in place to oversee Prevent delivery in the area.

Progress

- Compliant
- Compliant

Prevent Duty Toolkit

Duty

- Agreed Prevent Partnership plan in place outlining the role of each partner and referencing the risk identified in the CTLP
- Agreed referral process for those identified as being at risk of radicalisation with individuals offered support appropriate to needs

Progress

- Compliant
- Compliant

Prevent Duty Toolkit

Duty

- Channel Panel in place meeting monthly, chaired by senior LA officer, with members who have a good understanding of Channel, with the appropriate safeguarding and data protection measures in place
- Prevent problem solving process in place throughout the County

Progress

- Compliant
- Compliant

Prevent Duty Toolkit

Duty

- Engagement of communities
- There is a communications plan in place to proactively communicate and increase transparency of the reality / impact of Prevent work, and support frontline staff and communities to understand what Prevent looks like in practice.

Progress

- In development
- In development

Prevent Duty Toolkit

Duty

- There is a training plan in place for relevant personnel
- There is a venue hire policy in place, to ensure that premises are not used by radicalising influencers, and an effective IT policy in place to prevent the access of extremist materials by users of networks.

Progress

- Some elements in progress
- Some elements in progress

Channel

- Section 36 of the CT&S Act places a duty on local authorities to ensure that a Channel Panel is in place for their area.
- Section 37(5) of the CT&S Act requires Channel Panels to be chaired by the responsible local authority.
- Section 41(3) of the CT&S Act makes provision for two or more local authorities to have a panel in place for a combined area, allowing for proportionate and efficient use of resources. Derby and Derbyshire has a combined panel.

Channel

- Channel is a key element of the delivery of Prevent which focuses on providing multi-agency support, at an early stage, to people who are identified as being vulnerable to being drawn into terrorism.
- The Updated Channel Duty guidance places the following requirements on upper tier local authorities;
- The Chief Executive is required to:
 - Designate a Chair and Deputy Chair with the necessary authority
 - Be satisfied that the Chair and Deputy have the required skills and experience
 - Sign an annual assurance statement – to be submitted to the Home Office

Channel Annual Assurance Statement

Duty

- Legal requirement to hold a Channel Panel, with the required membership, following the Channel Guidance and assessing the required support
- Strategic governance – Channel is included in the Council Constitution; the Prevent Board is in place; the escalation process is in place;

Progress

Compliant

Derby and Derbyshire combined Channel panel held as good example of partnership working.

Compliant

Updated constitution awaiting publishing on the website – everything else

Channel Annual Assurance Statement

Duty

- Chairing skills – Chair and Deputy have the skills, authority and knowledge to undertake the role.
- Panel Function and form
- Data Protection -

Progress

- Compliant
- Compliant
- Compliant

Summary

- The Prevent Duty Toolkit is reviewed on an ongoing basis and our Action Plan is updated to show areas of work.
 - The Channel Assurance statement is required to be signed off every year and is due by April 1st 2022.
- 