Monitoring compliance with the 'Prevent' duty in higher education in England: Advice note for providers

About this advice

This advice has been issued by HEFCE in response to requests from higher education providers to provide further information to help those affected by the Prevent statutory duty. The advice is **non-statutory**, and sets out a number of questions designed to help providers understand areas they may want to consider when developing policies, processes or arrangements that will satisfy the Prevent duty. This should be read alongside the statutory 'Revised Prevent Duty Guidance for England and Wales' and 'Prevent Duty Guidance for higher education institutions in England and Wales', which assist specified authorities in deciding how to carry out the duty.

Higher education providers should consider how best to implement the duty in their own context and according to their own assessment of risk, but may wish to use this document as a prompt.

Active date

This advice was most recently updated on **Monday 30 November 2015**. We intend to update this document as the monitoring process develops further.

Who is this advice for?

This advice is for:

- Prevent leads and senior management of HEFCE-funded higher education institutions.

- Prevent leads and senior management of other relevant higher education bodies in England, specifically:

    - Providers that are subject to specific course designation processes administered by HEFCE

    - Other providers that offer higher education to more than 250 students

    - The autonomous colleges, schools and halls of the Universities of Cambridge, Durham and Oxford.

It may also be of interest to staff working in governance, student services, security, chaplaincy and other areas of higher education administration.

Introduction

Under the Prevent duty introduced by the Counter-Terrorism and Security Act 2015, relevant higher education bodies will need to assess the risks of people being drawn into terrorism and ensure they have plans in place for mitigating these risks. The Prevent duty monitoring framework (HEFCE 2015/31), published at www.hefce.ac.uk/pubs/year/2015/201532/, sets out how HEFCE will gather information from providers to demonstrate evidence of compliance. This advice note sets out some areas providers may want to consider when going through the process of assessing risk and planning action. This is not intended to be an exhaustive list, and not all of the areas highlighted will necessarily be relevant to all providers – it is up to providers themselves to decide how to respond appropriately to the duty in their own context.

HEFCE's approach

HEFCE will not be issuing template risk assessments or action plans, or directing providers to follow a particular structure, as they may need to vary considerably to reflect different contexts and risks. The Department for Business, Innovation and Skills' (BIS') further education (FE) and higher education (HE) Prevent coordinators[1] can provide example risk assessments and action plans. We will provide further information as to how we will expect documents to be submitted under the monitoring framework.

As well as setting out the actions providers are undertaking, we will expect the evidence supplied to set out a clear rationale for decisions taken, linking closely to the risks identified in their risk assessment.

We will not accept any personal information about particular individuals or groups; any returns including this kind of information will be sent back to the institution.

Further information can be found on HEFCE's website at www.hefce.ac.uk/reg/prevent/. You can contact the HEFCE Prevent team directly at prevent@hefce.ac.uk.

Risk assessment and action plan

As the statutory guidance sets out, action plans should in all cases be proportionate to the risks identified and set in the context of the provider's usual functions. In compiling their risk assessments, providers may want to consider:

- How they need to reflect local circumstances, drawing on advice from local Prevent partners.

- How to take account of off-campus and partnership activity which uses the provider's branding or resources.

- The different risks which may exist at different sites – for example, where a provider has multiple campuses in different geographical locations.

- Whether the procedures or controls are justified by the risks.

External speakers and events

All providers should have arrangements in place for assessing the risks around particular events and speakers and for managing those risks. For some smaller providers with

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[1] Details are available at www.safecampuscommunities.ac.uk/guidance/regional-coordinators

relatively few such events this may not mean a formal policy document, but they should still be able to articulate how this process will operate.

Providers may want to consider the following questions:

- What process is in place for researching and identifying risks around a speaker or event? Does the process require checking for links to proscribed organisations[2]?

- Do arrangements for visiting lecturers need to be reviewed in the light of the Prevent duty?

- Does the policy cover conferences and similar events on the provider's premises, whether organised by the provider (including academic departments) or third parties?

- What records are kept to demonstrate how decisions have been reached?

- Are there clear routes for escalation? Who ultimately takes decisions?

- What situations would trigger the need for risk mitigations? Are mitigations suggested in the statutory guidance – including advice published by Universities UK and the Charity Commission – considered?

- What external advice (such as from Prevent coordinators or other local partners) is drawn on when taking decisions on speakers or events?

- What processes are in place to deal with university-branded events which take place off campus which may present a high risk?

- Is a formal policy required or can the process be captured in other ways (particularly for very small providers)?

- Are policies and procedures well documented and clearly communicated to staff, students and visitors, and to any third parties using the provider's premises?

- In what circumstances, and how, will providers share information about speakers with other institutions and partners?

Partnership and leadership

Providers may want to consider the following questions:

- Does responsibility for Prevent sit at a suitably senior level? Are there mechanisms for regularly involving and updating governing bodies and proprietors?

- Given the need for a whole institution approach, are a range of different areas of the organisation involved?

- Do providers have sufficient links – and at the right level of seniority – into local Prevent structures, and ongoing dialogue with other Prevent partners?

- How do providers engage with students on their plans for implementing the Prevent duty?

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[2] The up-to-date list is at: https://www.gov.uk/government/publications/proscribed-terror-groups-or-organisations--2.

- Where appropriate and legal to do so, are there procedures in place for the sharing of information about speakers with other institutions and partners? (The BIS FE/HE Prevent coordinators can help facilitate this process.)

Staff training

Providers must demonstrate a willingness to undertake Prevent awareness and other training. They may want to consider the following questions:

- Have providers set out the rationale for which of their staff will be trained?

- What training packages will be used and how will this vary across different types of staff?

- Do providers have arrangements in place for rerunning or refreshing training and for dealing with new staff?

- Have providers considered whether staff employed by any contractors need training, and how this might be achieved?

Welfare and pastoral care/chaplaincy support

Providers may want to consider the following questions:

- Do staff and volunteers who deal with welfare and pastoral issues know the internal procedures for considering whether to make a referral to the local Channel process?

- Is it clear that welfare arrangements in the Prevent context apply in all locations and to staff, all categories of student (for example, full- and part-time students, mature students and postgraduates) and, possibly, other people?

- Are internal and external procedures in place for sharing information about vulnerable people?

IT policies

Providers will need to show that they have ensured that the policies for use of their information technology (IT) equipment refer specifically to the Prevent duty. They may want to consider the following questions:

- Do IT policies set out what is and is not acceptable use of the provider's systems for both research and non-research purposes?

- Do IT policies include arrangements for managing the provider's 'branded' websites or social media to ensure they are not used to promote extremist material or activities?

- What factors were taken into account when considering whether and how to use filtering to limit access to harmful content?

- Is there a process for identifying and dealing with breaches of IT usage policies?

- What arrangements does the provider have in respect of websites and social media operated by students' unions or societies?

Students' unions and societies

Although students' unions are not directly covered by the duty, it is important that providers have clear policies in place to manage the risks relating to activity which originates with the student union. The statutory guidance is clear that it is the provider that must satisfy itself that risks have been suitably assessed and appropriate mitigations put in place when an event is taking place on its site or under its branding. Providers may want to consider the following questions:

- Is there appropriate senior institutional oversight of speakers and events being organised by students' unions and student societies, including clear escalation procedures for risk mitigation?

- Are there clearly communicated expectations of students' unions, and systems in place for ensuring these expectations are met?

- How are their policies and procedures communicated to students, including to students' unions and societies?