Guidance

Guidance for further education providers on Work-based learners and the Prevent statutory duty

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This guidance follows the learner journey from recruitment through to completion (or drop out) from their chosen work-based training programme and makes recommendations for each phase.

1. What is the Prevent statutory duty?

Section 26 of the Counter-Terrorism Security Act (CTSA) places a statutory duty on certain bodies to effectively prevent people from being drawn into terrorism, to have due regard to the need to prevent people from being drawn into terrorism.

The duty is commonly referred to as Prevent statutory duty or the Prevent duty. We use the terms known to meet practitioners across the sector.

As stated in the revised 2019 Contest Strategy, Prevent aims to safeguard vulnerable people to stop them becoming terrorists or supporting terrorism.

2. What are specified authorities?

Specified authorities are relevant education institutions or the Education and Skills Funding Agency (ESFA) register of training organisations (RoTO), including subcontractors which receive more than £100,000 of ESFA funding in the year.

For more information organisations should consult the CTSA sector specific statutory guidance and Department for Education's (DfE) scheme of revised Prevent duty guidance.

3. Safeguarding

Prevent and our safeguarding responsibilities are effectively implemented, monitored and measured. A Combined Safeguarding and DSL Check List is important. This checklist will be the focal point of safeguarding and Prevent, taking responsibility for co-ordinating and monitoring. It will be used to measure progress and to inform the leadership team about or respect. The DfE also ensures that appropriate referral arrangements are in place and local communities know the need for regular training at appropriate levels for all, categories of staff, whether dire the employed or not.

4. General

As indicated throughout this guidance, Prevent and many of the issues relating to it form just part of an organisation's safeguarding responsibilities. It also covers the wide range of available guidance documents specific to safeguarding children and adults as well as the Prevent duty. Guidance for further education providers.

Providers should have a clear understanding of how Prevent will be put into practice, shared externally for appropriate support. This includes developing relationships with local authorities, local Prevent co-ordinators, local safeguarding partnerships and appropriate local authority contacts and safeguarding teams, including the designated safeguarding officer for providers who have widespread learner cohorts that spread beyond county and regional boundaries.

We recommend:

Providers should ensure that their response to the Prevent statutory duty is embedded within their safeguarding policy and that they have clearly established external referral processes, taking into account the need to respond beyond local boundaries.

We recommend:

Organisations develop safeguarding awareness amongst those involved in the recruitment process. Consideration should be given to providing bespoke or specialist training to meet the needs of their role.

Some organisations have no systems in place to formally flag welfare or safeguarding concerns, or to record them. They do not result in overly revised opportunities to identify learner needs and vulnerabilities.

We recommend:

Organisations develop systems for the early identification, recording and flagging as appropriate of welfare, learning and potential safeguarding needs of learners at time of recruitment.

5.1 Recruitment process

At recruitment stage, face to face engagement may not be the preferred method and the process may be conducted entirely by phone, online discussion or through the completion of an online form. It is clear that there are additional potential risks where the learner is recruited by a third party, such as a training provider, and the learner recruits to employment training is learn carried where the recruitment process is robust.

We recommend:

The use of specific questionnaires to better ensure potential safeguarding, Prevent and welfare issues are identified and explored at this stage. This would help to reduce risks where no face-to-face engagement takes place during recruitment.

These providers who enrol 16 to 18 year olds should, from moment of recruitment and throughout the learner journey, consider them to be a specific cohort of greater risk. Providers should be aware that 16 and 17 year olds who have additional considerations should be given to this group is every aspect of their training and working life is counter these risks.

Providers who have learners who are involved in activities away from the workplace or delivery sample, international safeguarding measures must be put in place to ensure them the protection required. Should such activities be undertaken it is advised that providers should have in place robust risk assessments and management of these activities is in place.

We recommend:

Providers should ensure that learners aged 16 to 18 should develop specific policies and procedures to ensure the overriding concern is providing enhanced protection and support for those learners which ensures that staff are aware of the greater risks to this group.

5.2 Selecting suitable employers and training

The identification and selection of suitable employers and training matched to individual's needs is key to ensuring their success. More importantly, the safety of learners is paramount. Providers should have robust processes in place to determine suitability of employers/training sites. Effective vetting ensures that DBS checks with employers at this stage is a vital component to achieving this. Good practice in this area should include the sector can significantly reduce the effectiveness in this regard.

Employers themselves are not subject to the duty or to statutory requirements in respect of safeguarding in the same way that providers are, but they do have duties themselves as a 'specified authority'. Therefore, it is essential that providers ensure that employers are fully aware of their responsibilities and that they are not agreeing to take learners or training programmes. It is the responsibility of providers to ensure that employers understand the requirements of the duty (and safeguarding responsibilities). Failure to do so could be a key indicator of concern. This can be achieved in a variety of ways, for example:

- the employer handbook setting out minimum requirements regarding safeguarding, including safeguarding
- including safeguarding requirements incorporated into contracts/sub-contracts
- the provision of guidance, and flyers providing useful information about Prevent, updates and legal communications. This could include providers contacts and signposting safeguarding (Prevent/Safeguarding Partners). This can also contact the Department for Education's Prevent duty guidance, which can provide access signpost to resources and other support.

Induction may be done in person, or online, or a mix of the two. Where some or all of it is undertaken online, the inherent risks of this approach should be addressed through a robust quality checked process to ensure potential issues are more readily identified and addressed.

6.1 The role of staff in learner inductions

Staff engaged in roles related to the recruitment and induction of learners need to have an effective understanding of their role beyond the establishment of new learners with a job role. Staff who are involved in the recruitment and induction of learners in a specific role is an important one in the identification of Prevent and safeguarding issues that they should therefore be trained and equipped to do so.

These are training materials and resources available for staff in these and other related Initial Post Education Training Providers (IPET). You can also contact the Department for Education's Prevent duty guidance, which can provide access signpost to resources and other support.

We recommend:

Staff engaged in the area of recruitment and induction should be provided with an enhanced Level Prevent and safeguarding training that includes their ability to identify issues where learners or online training may not equip them with.

6.2 Learner handbooks

At the time of induction, most learners are provided with learning plans and learner handbooks which set out all requirements of the learner for successful completion of their training and qualification. This should inform them of the availability of mentoring, pastoral support and other support services available to them. This includes attendance, study and expected work assessors.

A hallmark of effective practice in this area is the time devoted to ensuring learners are fully aware of their responsibilities and rights as well as those of their employer. Failure to do so can lead to learners being exploited or unaware of their rights. Providers need to do this as well as follow up reminders of the key points to this induction. Providers should also ensure that they have a clear policy for learners and underpin British values and free these duties to their work and studies.

We recommend:

The provision of detailed learner handbooks setting out all available support and safeguarding contacts should be a key requirement for inclusion in contracts/sub-contracts. Providers should ensure that they are monitoring for more vulnerable learners (including 16 to 18 year olds) should be integrated into these processes and subject to quality checking.

6.3 Supporting learners

Learners may not always settle into new environments but with simple but effective contact and support at this stage can prevent them becoming disillusioned and their out of organisation. Such measures can also be effective check and monitoring mechanisms for the safeguarding and welfare of learners. Such measures can be effective. Related provisions in this area would include a mandatory contact with learners, including – where possible – face to face. In the initial period after their enrolment.

We recommend:

Providers should ensure that they are monitoring for more vulnerable learners (including 16 to 18 year olds) should be integrated into these processes and subject to quality checking.

7. Ongoing assessment

Assessors are used more commonly across the sector to monitor the progress and safety of learners during the time of their training and placements. As such they are probably the single most important aspect of the whole process of safeguarding and Prevent monitoring. They are the ones who are most likely to see any changes to progress in their training. They also play a significant role in ensuring that safeguarding issues are identified at an early stage. This is particularly important for those who are in work placements, where they may be the only point of contact with Prevent statutory duty. It will also be the role of assessors to explore and embed the importance of British values with learners.

We recommend:

In order for assessors to be able to carry out this function effectively they must receive robust and role-specific safeguarding and Prevent training. This will ensure that they are able to identify and respond to issues of concern as well as required by Ofsted. There should be a clear that assessors cross-refer learners training. Providers should consider also including more specific training for assessors on staff performing this role.

7.1 Maintaining regular contact with learners

Regular contact with learners by assessors is critical and the frequency and conduct of sessions should be mandated to ensure that this is effective. Such interactions should be recorded and monitored by providers to ensure that they are effective and robust. This should also include dialogue between assessor and or employer (workplace contact), when referred to as the employer single point of contact (SPOC).

We recommend:

Assessor meetings with learners should primarily be in person and face-to-face. Where this isn't possible, face-to-face meetings through online platforms. Providers should ensure that they are monitoring the frequency of contact with learner and assessor can prepare in advance. Sessions should be sufficient length to allow time for exploration of safeguarding and welfare matters as well as British values and should be in an environment location conducive to this.

We recommend:

Ensure that assessor reports on learners are structured to mandate questions regarding welfare and safeguarding (Prevent) with better and stronger.

7.3 Designated single point of contact (SPOC)

Most employers designate contact for WBL to a dedicated and knowledgeable member of staff or single point of contact (SPOC) who acts as the focus for a provider's contact with the employer. This is a key role in the effective safeguarding and development of the learner. It is vital that this person is well aware of safeguarding (Prevent) and the specific requirements of the provider with regards to safeguarding and Prevent duty. This person should be familiar with the provider's policies, requirements of any WBL as well as training sufficient authority and influence within their organisation. In many cases the SPOC will take receipt of any employer handbook and ensure that it is shared with the appropriate people within the organisation. In receipt of such handbooks, the responsibility of important updates and the fact that the employer (often through the SPOC) accepts the responsibilities and requirements which are set out in the provider.

We recommend:

Providers should ensure that employers have a designated contact (SPOC) who is knowledgeable and understands their responsibilities and duties (including safeguarding) deemed acceptable to the provider.

We recommend:

Employers to guarantee that the SPOC will be available to provide feedback to the assessor as well accepting responsibility for fulfilling the requirements on behalf of the employer as outlined in employer handbooks and contractual agreements.

We recommend:

Employers to be advised of all learning, health and safety and safeguarding requirements, including Prevent requirements, and provide appropriate training agreement. Such a document handbook or hard copy to be delivered/signed receipt by the employer or their SPOC as well acknowledgement that all requirements have been met and measures are in place prior to learners commencing their placement.

7.4 Absences

Unexplained and lengthy absence from the workplace, study sessions or pre-arranged absence should be reported to the provider immediately. Unexplained absence may need to be investigated at an early. Providers and employers should have clear guidelines on absence reporting mechanisms and the measures that should be taken in the event of such absence. Such guidance should be incorporated into school provisions procedures, protocols and staff and learner handbooks. Such concerns of an early stage. Learners that are absent or seeking interaction should be reported to the appropriate authorities and recorded. Such cases of absence recorded. A 16 year old should receive early intervention and reporting.

7.5 Incorporating British values

Learners in WBL environments are subject to similar expectations regarding the promotion of British values as those in other education settings. However, this is something that is rigorously tested during Ofsted inspections. The use of themed days, such as Prevent awareness days, can be a useful mechanism to promote and gauge the added value of learning across a provider's learner cohort. Also exciting and caring social, national or international events is equally useful to demonstrate British values in action. Such events can be a useful mechanism to promote British values. Related provisions in this area should be further reviewed and monitored.

Ofsted expect to see British values integrated into the curriculum and training so that learners are able to identify and British values are relevant to their work and studies. Individual learners may be asked during inspections how British values relate to their studies or training.

We recommend:

Providers should develop programmes of learning supporting the promotion of British values and ensure that learners are able to identify and British values are appropriate appreciation of British values and explain their life to a modern Britain. This should be appropriate to each level and age group of learner.

7.6 End of training

The conclusion of a learner's training ends, in most cases, with the successful completion of their programme and achievement of qualification. Even in instances where learners have successfully completed their programme, there are opportunities for the provider to gauge the impact of their training on the learner. Exit interviews are a useful learner survey is a useful measure to audit the quality of provision, to provide themselves and by employers, as well as workplace issues such as health and safety, bullying and harassment. Such surveys can be a useful mechanism to provide useful information to the performance in relation the supportive and safe environment that providers seek to create for learners.

We recommend:

Providers should develop clear policies regarding learner absence and these should be communicated to employers. Guidance to these investigations such as unexplained absence should be incorporated into contracts/sub-contracts. Such matters should be escalated and what interventions should be considered.

We recommend:

The use of learner exit surveys is a helpful tool to check on real-life performance by both providers and employers. Analysis of such surveys is important to obtain a broader understanding of issues across organisations.

7.7 Notifying the Designated Safeguard Lead (DSL)

At the end of a learner's programme, whether successful or incomplete, providers should notify to allow the DSL to be notified within sufficient timeline to allow the appropriate referral to be made. Such information is key to the DSL and it is vital that provider to make information known on where and how the learner might be able to access ongoing support for families, other agencies or follow-on organisations. Such information is important to ensure that the DSL can collect adult learners this will of course necessitate discussion with the learner and in most cases their consent.

7.8 Early completion

Sometimes learners progress well and complete their learning ahead of schedule. Such learners are a cause for celebration but the impact of their programme is highlighted to DSLs to allow review to take place.

8. Other areas for specified authorities to consider

The Prevent statutory guidance sets out a number of areas which should be given consideration by specified authorities when exercising the necessary due regard to comply with the CTSA. These are set out below.

8.1 Partnership and leadership

The approach of providers to partnership working in the context of safeguarding and Prevent varies hugely across the sector. The statutory duty is quite specific in its expectations of organisations,

> " we would expect active engagement from governors, boards, principals, managers and leaders with other partners"

and goes onto suggest a number of possible key partners (DfE Prevent co-ordinators, local authority, police). Leaders must ensure that the requirements of the duty (and safeguarding generally) are effectively embedded within their organisation and that staff tasked with operational implementation are supported and resourced affectively.

8.2 Training

Providers must ensure that their own and sub-contracted staff are effectively trained to understand what radicalisation and extremism mean in the context of their organisation and how they should protect learners and staff. Again the duty outlines expectations in this respect.

> " We would expect appropriate members of staff to have an understanding of the factors that make people vulnerable to being drawn into terrorism and to challenge extremist ideas . . . staff should have sufficient training to be able to recognise this vulnerability and be aware of what action to take in response."

Training requirements extend to managers and board members, as well as trustees where they exist.

8.3 Risk assessment and Prevent action plans

The duty mandates that 'specified authorities' carry out a risk assessment so that they can identify where and how learners and staff may be at risk of being drawn into terrorism and to subsequently develop an action plan to mitigate those risks.

The DfE Prevent co-ordinators are available to support organisations in undertaking this process and share good practice with them.

8.4 Speakers and events

Where organisations introduce or facilitate external speakers or groups to meet with learners, perhaps for example to provide specialist inputs or employability training, effective booking and due diligence procedures must be undertaken to protect learners.

Such procedures must be implemented in practice and records of such maintained for inspection if required.

8.5 Safety online

The internet plays an increasingly dominant role in the process of radicalisation and is used extensively by extremist and terrorist groups. It is therefore vital that organisations have effective measures in place to protect learners and staff from such dangers. The extent of requirements in this regard will vary depending upon the size and nature of the provider and the resources at its disposal.

As a minimum, IT policies, where learners access the internet via the provider's equipment or connections, must reflect the requirements of the duty.

Increasingly systems for filtering and monitoring learner's internet use (whilst using a provider's IT systems) are being put in place and there are expectations regarding the effectiveness of these to highlight early indicators of risks through internet activity.

In addition, providers are expected to equip learners with an understanding of how to use the internet safely and protect themselves online.

8.6 Welfare and pastoral care

The duty challenges institutions to understand the level and nature of pastoral care and support required by their learners. Such provision is likely to be tested during inspection. This includes the provision of policies to effectively manage prayer rooms or other faith-related and non-faith reflection type facilities. Providing such support and facilities to learners in the WBL environment can be particularly challenging for providers and even 'signposting' to local facilities and support needs to be subject to checks and a level of due diligence.

9. Recruitment recommendations

9.1 Recruitment recommendation 1

Organisations develop safeguarding awareness amongst those involved in the recruitment process. Consideration should be given to a level of bespoke or specialist input to meet the needs of their role.

9.2 Recruitment recommendation 2

Organisations develop systems for the early identification, recording and flagging as appropriate of welfare, learning and potential safeguarding needs of learners at time of recruitment.

9.3 Recruitment recommendation 3

The use of specific questionnaires to better ensure all potential safeguarding, Prevent and welfare issues are identified and explored at this stage. This would help to reduce risks where no face-to-face engagement takes place during recruitment.

9.4 Recruitment recommendation 4

Those providers with learners aged 16 to 18 should develop specific policies and procedures (or incorporate into existing ones) providing enhanced protection and support for those learners which ensures that staff are aware of the greater risks to this group.

10. Induction recommendations

10.1 Induction recommendation 1

Where possible, face to face induction should be the preferred option. Where such practice does not exist (whether occasionally or as routine business) then inherent risks should be addressed through a robust quality checked process to ensure potential issues are identified and addressed.

10.2 Induction recommendation 2

Staff engaged in the area of recruitment and induction should be provided with an enhanced level of Prevent and safeguarding training that improves their ability to identify issues as early as possible and take effective action.

10.3 Induction recommendation 3

The provision of detailed learner handbooks setting out all available support and safeguarding contacts should be a key requirement for inclusion in induction processes. Mandated and specific additional testing of understanding for more vulnerable learners (including 16 to 18 year olds) should be integrated into these processes and subject to quality checking.

10.4 Induction recommendation 4

Mandated follow up contacts with learners in first month/6 weeks after their start date to include reminders of key welfare support opportunities, contacts and to explore identified welfare and safeguarding issues.

11. Ongoing assessment recommendations

11.1 Ongoing assessment recommendation 1

In order for assessors to be able to carry out this function effectively they must receive effective and role specific safeguarding and Prevent training. This will include training in the exemplifying and promoting of British values to learners, as required by Ofsted. A reliance on broad, generic online training creates a risk that should be carefully considered as a priority by providers and localised, specific inputs created or sourced for assessors or staff performing this role

11.2 Ongoing assessment recommendation 2

Assessor meetings with learners should primarily be in person and face to face. Where this is not possible face to face, online platforms should be used. Sessions should be of sufficient length to allow time for exploration of safeguarding and welfare matters as well as British values and should be in an environment or location conducive to this.

11.3 Ongoing assessment recommendation 3

Ensure that assessor reports on learners are structured to mandate questions regarding welfare and safeguarding (Prevent) with both learner and employer.

11.4 Ongoing assessment recommendation 4

Providers should ensure that employers have a designated contact (SPOC) who has received (and evidenced) a level of safeguarding (Prevent) training (including refreshers) deemed acceptable to the provider.

11.5 Ongoing assessment recommendation 5

Employers to guarantee that the SPOC will be available to provide feedback to the assessor as well accepting responsibility for fulfilling the requirements on behalf of the employer as outlined in employer handbooks and contractual agreements.

11.6 Ongoing assessment recommendation 6

Employers to be advised of all learning, health and safety and safeguarding requirements through either a bespoke employer handbook and/or contractual agreement. Such a document (electronic or hard copy) to be delivered against receipt to the employer or their SPOC as well acknowledgement that all requirements are understood and measures are in place prior to learners commencing their placement.

11.7 Ongoing assessment recommendation 7

Providers should develop programmes of learning supporting the promotion of British values, ensuring that this supports learners to develop a mature and appropriate appreciation of British values and equips them for life in our modern society. This should be appropriate to each level and age group of learner.

12. End of training recommendations

12.1 End of training recommendation 1

Providers should develop clear policies regarding learner absence and these should be communicated to employers. Guidance to those investigating such issues must identify potential signs of common vulnerability, when such matters should be escalated and what interventions should be considered.

12.2 End of training recommendation 2

Providers should ensure that effective systems exist to quickly link absence to existing safeguarding (Prevent) concerns so that full an rounded decision making can be made by the provider's DSL.

12.3 End of training recommendation 3

The use of learner exit surveys is a helpful tool to check on real life performance by both providers and employers. Analysis of such surveys is important to obtain a broader understanding of issues across organisations.

12.4 End of training recommendation 4

Ensure effective systems are in place to flag learners leaving or completing their programme to safeguarding staff which will allow the consideration of ongoing safeguarding implications and support to take place.

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