

# ATL ADVICE



## Understanding the Prevent Duty

This factsheet aims to outline the implications of the Government's Prevent duty for education staff and give advice on its implementation.

The Government's Prevent strategy has existed since 2011 and forms part of the overall counter-terrorism strategy (CONTEST) – see [www.gov.uk/government/publications/prevent-strategy-2011](http://www.gov.uk/government/publications/prevent-strategy-2011). This strategy aims to reduce the threat to the UK from terrorism by stopping people becoming terrorists or supporting terrorist activity.

The Counter-Terrorism and Security Act 2015 gave the strategy legal status in schools and colleges. This means educational establishments must have due regard to the need to prevent people from being drawn into terrorism.

ATL members, like all education staff, are committed to the well-being of their pupils and students, but ATL believes it is not the role of teachers, support staff, etc to police those they teach. It is also imperative the Prevent strategy does not stifle the opportunity for safe and educational debate.

Students must have the opportunity, within appropriate subjects, to express views, seek advice, ask questions and ultimately further their understanding. Children and young people must feel able to ask controversial questions without fear of reprimand. It is also important staff have access to proper and thorough training that allows them to raise their own questions about the Prevent strategy.

There has also been much debate about the Government's instruction that educational establishments must promote 'fundamental British values', which they say will build pupils' resilience to radicalisation. Many people have queried whether the positive values of the country are, and should be,

considered exclusively British. ATL's view is that it is important education staff promote the values of democracy, equality and respect.

Counter-Terrorism and Security Act Prevent duty guidance for England and Wales has been produced by the Government, with separate but similar guidance published by the Scottish Government. The Prevent duty guidance covers other organisations such as the health service and the police.

The duty of education establishments is divided into separate types of establishment: schools, FE and HE. You can obtain a copy at [www.gov.uk/government/publications/prevent-duty-guidance](http://www.gov.uk/government/publications/prevent-duty-guidance).

The Department for Education (DfE) has issued its own guidance to complement the statutory guidance, this is available at [www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/439598/prevent-duty-departmental-advice-v6.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/439598/prevent-duty-departmental-advice-v6.pdf).

According to Ofsted, fundamental British values are "democracy, the rule of law, individual liberty and mutual respect [and] tolerance of those with different faiths and beliefs" (*School Inspection Handbook from September 2015*).

The Government has defined extremism in the Prevent strategy as: "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" (*Prevent Duty Guidance: for England and Wales, 2015*).

## Due regard

As mentioned above, schools and colleges must have “due regard” to the need to prevent people from being drawn into terrorism.

“Due regard” is defined in the guidance as placing “an appropriate amount of weight on the need to prevent people being drawn into terrorism when they (schools and colleges) consider all the other factors relevant to how they carry out their usual functions”.

Essentially, this is based on the premise “schools can help protect children from extremism and violent views in the same way they help safeguard children from drugs, gang violence and alcohol”.

Furthermore, according to the guidance, having “due regard” requires educational establishments to:

- have robust safeguarding policies that identify children at risk and intervene where appropriate
- provide staff with training so they understand the Prevent duty and have the confidence to identify children at risk
- ensure children are safe from terrorist or extremist material while accessing the internet at school.

Under the guidance, all educational establishments are expected to carry out some form of risk assessment to assess the risk of children and/or young people being drawn into terrorism based on an understanding, shared with partners (such as registered childcare providers, universities, colleges, health services).

School staff are expected to understand when it is appropriate to make a referral to the Channel programme. The Channel programme focuses on providing support, at an early stage, to people identified as being at risk of radicalisation.

The DfE states that, as a minimum, designated safeguarding leads should undertake Prevent awareness training. ATL is of the view that if the Government wishes to place such responsibilities on education staff, it should fund the comprehensive training of all those expected to comply with the duty.

There are specific additional requirements placed on HE establishments, in particular, in relation to student unions and societies, namely:

- Universities will have to have clear policies setting out the activities of student unions and societies that are or are not allowed to take place on campus.
- Policies must make it clear unions and societies also have a responsibility to challenge extremism.
- Unions and societies are expected to work closely with their institutions and consider whether their staff and elected officers would benefit from Prevent awareness training.

According to the Prevent strategy document, in practice school staff can protect children from extremist views by:

- being aware of Prevent and “the risks it is intended to address”
- ensuring children are taught “in a way consistent with the law and our values” and
- helping to identify and refer to the relevant agencies “children whose behaviour suggests that they are being drawn into terrorism or extremism”.

Relevant agencies include the police. Any member of staff who has concerns about a pupil or student must be fully supported by the designated safeguarding lead and senior management.

It is essential educational establishments have a clear safeguarding policy that incorporates the Prevent strategy. ATL believes it is the role of the designated safeguarding lead and/or senior management to decide what to do with information or concerns raised by staff.

School and college leaders have additional responsibilities so are advised to do the following:

- Take a proactive approach to demonstrate the school or college is compliant with the new expectations, eg seeking partnerships with others on this issue, adding behavioural expectations to job descriptions, etc.
- Consider apportioning a lead responsibility, ideally a member of the senior management team.
- Review all policies and ensure this agenda is embedded across all relevant policies and not simply left as a submerged standalone policy item.
- Ensure staff are trained and confident about what is expected of them in order to ensure the school or college is compliant.
- Assess the baseline risks relating to the Prevent agenda.

Monitoring of compliance with the Prevent Duty and the promotion of 'fundamental British values' lies with Ofsted, Estyn (Wales) or an appropriate body nominated by the secretary of state responsible for FE and HE.

If an establishment is failing to comply with its duty, a mandatory order can be applied for on behalf of the secretary of state. A failure to comply with a mandatory order places the individual in contempt of court, which is punishable by imprisonment, a fine or both.

The DfE has a dedicated helpline, 020 7340 7264, or concerns can be raised by emailing [counter.extremism@education.gsi.gov.uk](mailto:counter.extremism@education.gsi.gov.uk).

If you have any questions then please contact ATL for assistance using the details below.

### **Additional resources**

For those working in FE, the Education and Training Foundation has a number of resources available at [www.preventforfeandtraining.org.uk](http://www.preventforfeandtraining.org.uk).

The DfE has published a document explaining how social media is used to encourage travel to Syria and Iraq. This is available at [www.gov.uk/government/publications/the-use-of-social-media-for-online-radicalisation](http://www.gov.uk/government/publications/the-use-of-social-media-for-online-radicalisation).



#### **Need advice?**

Your first point of contact is the ATL rep in your school/college. Your local ATL branch/district is also available to help, or you can contact ATL's member advisers on 020 7930 6441, email [info@atl.org.uk](mailto:info@atl.org.uk). Don't forget there's lots more advice on ATL's website at [www.atl.org.uk](http://www.atl.org.uk).

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