Creating safe learning communities

Revised Guidance for Colleges in Wales, August 2015

Further education institutions in Wales work together with a mission to ensure that college communities are places where learners are free to form and embrace their own identity and beliefs, and also able to live and learn safe from threat, risk and harm.

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1. Introduction

The first version of this document was produced to ensure that the Welsh Government guidance document "Creating Safe Learning Communities", issued in March 2011, remained valid and relevant. However, a number of significant changes and developments have occurred since September 2014, and the implications of these are set out here in this updated document.

In order to produce this document, a full review was undertaken of the 2011 Guidance Document by the original author in conjunction with key partners, principally Welsh Government, Colegau Cymru, BIS and the Police. A national conference attended by representatives of all of the above and addressed by a broad range of leaders, practitioners, and people with personal experience of this field of activity, was held in Cardiff in February 2014. This provided a forum for exploration of the key issues, created opportunities for assessing options for change and helped shape the revised guidance. Continued engagement with the key partners, as well as the obligations placed on the sector by recent legislation and the implications of events, have guided the production of this further revised document.

The principal legislative change has been the enactment of the **Counter-Terrorism and Security Act 2015**, and the issuing of the **Revised Prevent Duty Guidance for England and Wales, July 2015**. This latter document sets out the requirements for a range of institutions, including colleges in Wales, focussing on the assessment of risk, staff training, learner support, policies, monitoring and enforcement.

It also sets out definitions of common terms like extremism: *"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, whether in this country or overseas".*[1] The sections of the Act relating to Further Education are expected to be operational by October 2015.

This "Safe Learning Communities" review document aims to provide information – including the signposting to external resources, advice and support via established referral processes – regarding the causes of violent extremism and preventative measures that can be taken.

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[1] Revised Prevent Duty Guidance p27, Glossary of terms

Accompanying this review is a self-assessment tool which enables colleges to assess their levels of compliance with best practice in the creation of a safe learning community. This has been trialled by a significant number of Wales' FE institutions, and the resultant, updated version is now available for use throughout the sector as a means by which these institutions can assess their compliance with their statutory obligations, and their preparedness to meet the challenges arising from the threat of extremism in a variety of forms.

2. Context

At the time of the publication of the 2011 document, this area of activity was closely aligned with the work going on in Welsh Government and local authorities throughout Wales to strengthen community cohesion. It has been recognised that this is a necessary but not sufficient condition for the welfare of our learners in our schools, colleges and universities. There is now greater emphasis on ensuring that there is a clear and close focus on safeguarding in learning communities in all sectors of education. That change is one of the principal drivers of the collaborative activity to produce this revised document, and to ensure its dissemination and implementation.

At a time where terrorist threats are often in the news, and friends and foes alike may come under suspicion and surveillance, there is a real need to assess the question of balance: between on the one hand allowing learners freedom: freedom to be different, to be experimental, to have strong views and to have challenging ideas; and on the other hand, to keep learners safe from exploitation, bullying, grooming, extremism, harassment, hate crime and violence.

Colleges provide a highly inclusive and comprehensive learning environment. They take pride in their diversity and social inclusion. They also place great importance on pastoral care and safeguarding of learners, particularly those aged under 18 and vulnerable adults.

3. What has changed?

There has been much greater emphasis on **safeguarding** as a key element of ensuring the welfare of our learners, and enabling them to succeed in their learning and develop as individuals. This has involved building a clearer understanding of the processes by which vulnerable people, and particularly young people, are drawn in to potentially harmful activities. The process of **grooming,** through contact with recruiters, personally and digitally, is much better understood, and its implications for vulnerable people much more widely recognised. A process that was primarily linked to sexual abuse has now been recognised as having the potential to draw people into a range of situations where harm can occur, to themselves as victims, to their families and to the wider community.

Safeguarding guidelines and practices have evolved considerably and now form an essential element in the welfare of learners at colleges, not least by developing processes, designating officers and training staff to ensure implementation. This has led to the recognition of the role of colleges as **Responsible Guardians** of their learners. Within this role is the need to safeguard young people (and mature learners) from external influences which could be in the form of visitors to colleges, typically speaking at events and in learning sessions. The need for guidelines on this has been recognised in HE institutions and now FE bodies will be required to follow suit.

There has also been growing awareness of very serious issues which can have a considerable impact on the wellbeing and safety of learners, and in particular those from ethnic, cultural and religious minorities. These include female genital mutilation, forced marriages and modern slavery.

The dangers of being drawn into violent extremism have been highlighted by actual incidents and intelligence regarding potential incidents and campaigns in Wales and other UK countries. The dashed hopes of the Arab Spring have been followed by the rise of complex **conflicts** in countries from the Middle East to Northern and Eastern Africa with the greatest concentration in Iraq and Syria. Within and between communities in Wales, there have been tensions arising from the sectarian, tribal and ethnic dimensions of these conflicts.

An increasing number of individuals have planned and, in some cases, implemented plans to play an active part in campaigns and wars in the regions identified, in combat and support roles. Others have travelled to conflict zones, citing humanitarian reasons, typically to join family members, usually transiting through other countries in or close to the regions affected. There are, of course, other manifestations of extremism, typically but not exclusively, linked to right wing narratives and perceptions of external threats to social, cultural and economic wellbeing.

The third major change has been the rapid improvements in **information and communication technology,** especially the near ubiquity of high specification mobile devices allied to a huge expansion of the social media, as well as other content. Those extremists who would recruit people to their ranks have become increasingly sophisticated in their use of social media platforms and techniques, including targeted online marketing as a recruitment tool, and the adoption of advanced techniques of computer games tailored to their identified audiences.

Colleges themselves have been subject to fundamental change: in particular the creation of major FE institutions through the **transformation** process. Most institutions are now operating on a number of sites, often geographically distant from each other. Whilst this process offers access to economies of scale in many areas of operation, it also provides challenges in terms of consistent application of policies and good practice.

Within this area of work, there is considerable emphasis on **partnership** working, involving leaders, principals, managers, teachers and support staff, building effective, trusting relationships within institutions and with the police and BIS FE/HE co-ordinator. FEIs are also expected to consult with learners on the implementation of the duty, to explain its purposes and build mutual understanding. Managing communication is particularly important: requiring information to be shared in a safe and confident manner, and establishing a single point of contact for delivery of Prevent.

Estyn are currently operating within the **Inspection Framework** established in 2010. The relevant elements of the framework are those relating to Learner Well Being and Care, and Support and Guidance. However, as the focus on safeguarding has increased throughout the sector, so has Estyn's emphasis on assurance that safeguarding procedures work, and that there is proactive management of this area of activity. Estyn are reviewing colleges' role in community cohesion as a model of proactive working.   Other quality assurance bodies, such as Care Council Wales, are also reviewing and revising their practices in order to conform to the legislation and guidance.

The **statutory framework** underpinning education has continued to evolve. For example, the implementation of the Equality Act 2010 has led to the need to consider the "protected characteristics" established by the legislation in the formulation of policies and practices. However, the most significant legislative change has come with the enactment of the Counter-Terrorism and Security Act 2015, as mentioned in the introduction, and which has placed duties on colleges, as set out below.

Both UK and Welsh Government policies and strategies have also evolved as has the external environment. The UK Government's **Prevent** Strategy, one of the four strands of Contest, its counter-terrorism strategy, has been revised, and includes the development of a range of activities including practical help, advice and support, and a range of events and programmes to support individuals and institutions, and counter malign ideologies.

4. Revised guidance

In this part of the document, there is updated guidance, focussing on those areas which have seen substantial change, and which have been introduced above.

4.1 Safeguarding

Colleges must be able to *demonstrate understanding and actions that* contribute to the development of cohesive, resilient communities in their role as "Responsible Guardians". They need to have arrangements in place for ensuring the safety and wellbeing of all learners, from initial recruitment through induction, learning and support programmes, and onwards to progression to subsequent learning and employment. These arrangements must include the identification of vulnerable learners, who are in particular need of support and / or at risk of harm.

In order to ensure that these arrangements are implemented effectively, monitored and reviewed, a ***Designated Safeguarding Person (DSP)*** must be appointed. This person will be the focal point of safeguarding, through taking responsibility for *co-ordinating effective responses to* dealing with any issues raised that could lead to harm through abuse or neglect, ensuring that appropriate arrangements are in place and communicating the need for regular training at appropriate levels for all categories of staff, whether directly employed or not.

It is now expected that these arrangements are applied to s*afeguard* learners who are, or could be vulnerable to radicalisation which could in turn lead to their involvement in a range of activities with the potential for harm to themselves and other people. This of course, places an additional duty on the DSP and so it is important that they are able to discharge this duty.

There is of course a duty on all staff and the acronym ARC can be used as a simple but memorable way to emphasise the importance of **A**wareness, **R**esponsibility and **C**ommunication, as a means of discharging this duty. This requires effective training of staff, a full understanding of their responsibilities, clear lines of communication and protocols in place to ensure confidentiality and the protection of sensitive data.

It is also important that the Safeguarding arrangements go further than preventative measures, and include provision for active promotion of a safe environment and a culture of safety for learners.

Action:

1. Ensure that Safeguarding procedures include provision for identifying and addressing risks relating to radicalisation and violent extremism, and that the DSP has developed channels of communication with appropriate external agencies, especially the police service.

2. Ensure that Safeguarding procedures in particular address the risks relating to access to and influence by digital resources which contain harmful content, and whose messages are in direct conflict with those core values set out in the Guidance deriving from the 2015 legislation and quoted on page one, above.

4.2 Grooming - Contact with recruiters

The process of radicalisation has been the subject of study and investigation. Radicalisation is neither homogeneous nor linear but a complex process usually but not always involving grooming by external influences involving individuals, groups and the digital media. The cumulative effect of these messages is to reinforce the commitment of the individual to a path that can, but does not always, lead to violent extremism.

In many cases, access to recruiters and the messages they would wish to communicate begins with social media and websites. In section 4.5 below, there is information and advice about such risks. It should be emphasised however, that the physical location for any face-to-face meeting and further interaction can include private homes, community locations and, as recent events in Wales have shown, disparate individuals have met and conspired via their coming together at college.

Although there are established patterns and pathways towards radicalisation, there have been individuals who have acted seemingly in isolation from others, although with a trail of access to websites, containing extremist and harmful materials. The Anders Breivik atrocity in Norway provides evidence of this, although other people have travelled down this pathway, without being able to carry out their planned actions to anything like the same degree. The recent case of a former student at Newcastle College provides evidence of this.

Detecting grooming activity requires colleges to have well-developed pastoral support systems, as is the expectation. The staff responsible for pastoral care need to be aware of indicators that suggest that a learner is subject to such activity. We must, of course, beware of stereotyping and generalisation. However, there are indicators which should give rise to concern, including: isolation, family and household difficulties, mental health issues, marked changes in behaviour, appearance, group allegiance and attitudes. The use of digital media, particularly access to sites and platforms which include harmful content, will be much more difficult to detect but any indications of such use should give rise to concern.

As in 4.1, above, the ARC process should guide staff to have the confidence to report their concerns to the DSP.

Action:

1. Ensure that appropriate training is implemented for governors, principals, leaders and staff

2. Ensure in particular that staff are fully trained to recognise and communicate their concerns regarding potential risks associated with grooming and harmful influences of individuals, groups and digital media

4.3 Events, Meetings and Visiting Speakers

Colleges within the South-East Wales FE Forum,[2] have worked together to produce an outside speaker protocol which could be adopted across the country. Additionally, there are plans to agree standard vetting and booking protocols for both FE and HE sectors, based on those successfully implemented in the latter sector. Full use should be made of the protocols as a means of reducing risk.

The segregation of meetings by gender, proposed by event organisers, has also given rise to concern at colleges in Wales. Notices might be used to indicate the respective seating area for genders in designated sectors of a room. Such segregation would be illegal, with the exception of a collective act of worship.

In all cases, institutions need to balance their duties to protect learners and staff, with those to ensure freedom of speech. Clearly, referral to appropriate sources of advice, including the police, and conformity with protocols, can ensure that appropriate decisions are made.

Action: Ensure that agreed protocols are in place regarding events, visiting speakers and other visitors to institutions, and that these are subject to monitoring and reporting. (See section 6, summary)

4.4 Geo-political context

Within colleges, it is prudent to ensure that key managers and staff have an awareness of geo-political issues, in order to understand the potential impact on individuals and groups of learners. This might be because of a family, religious, cultural, ethnic or linguistic connection, or because of a special interest in such issues.

It is, of course, impossible to provide a comprehensive review of the world's conflict zones and regions of instability. Incidents can happen unexpectedly and apparently stable regions can suddenly see violent disorder. It is important therefore, that colleges have clear channels of communication to external agencies to ensure that advice and support are available, and that regular updates are provided.

At the time of beginning this review process in September 2014, the country giving rise to the greatest concern was Syria. However, during the summer of 2015, conflicts continue to take place in Iraq and Syria, in Somalia, Nigeria, Yemen, Libya, and between the Palestinian territory of Gaza and Israel. There are concerns regarding the impact on countries neighbouring conflict zones and those with close links with communities within these zones, such as Turkey and Iran.

In Syria, what began as a protest movement against a regime perceived as authoritarian and undemocratic, turned into a civil war. The opposition in this war quickly fragmented into groups divided on denominational, tribal, regional and political bases. In turn, foreign fighters have been drawn in, originally from neighbouring countries and latterly from countries outside the region.

This last development has characterised the other conflicts in the region, and has special relevance for the UK, where young men (and increasingly, women) have been recruited to fight in the wars, on the side of particular factions, essentially those representing a specific denomination. These factions see this struggle as part of a

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[2] A South Wales FE Prevent Forum is in place from the summer of 2015, and a unified FE and HE forum in N Wales

wider campaign against a competing denomination and against a government whose social, economic and legal system they are strongly opposed. It is emphasised that there is evidence of such activity in Wales, and a considerable risk exists.

Among the factions, one group has in particular achieved military, territorial and even economic success: the acronym and descriptor have developed from ISIS, ISIL to Islamic State (IS), and sometimes Daesh, the Arabic contraction of the name. Continuing fluctuations and realignments of groupings make it difficult to maintain an up-to-date assessment of the situation, although it is emphasised that the security services are focussed on this task.

There are a number of dangers inherent in this situation. There is the concern that these young men and women may well lose their lives in the conflict. This may well be perceived as martyrdom as much as tragedy and this itself may encourage others to follow. If they were able to return to the UK, they would do so as trained, battle-hardened combatants, whose extremist views will have been strengthened and who would present a considerable danger to our communities, through their actions and their influence on their peers. Travel to war-torn zones and areas of conflict must be treated with grave concern to avoid the potential for radicalisation through exposure to extreme ideologies and traumatic experiences. A further potential source of threat or harm has arisen with efforts to recruit young women to travel to conflict zones and possibly be involved in forced marriages to fighters.

Any UK citizen, who is not a member of the armed forces or a government approved or contracted support organisation, who participates in a war outside the UK is likely to attract the attention of UK security services and police and will inevitably face investigation, likely arrest and potentially, conviction for Terrorism offences.

Evidence has come to light that some people are being drawn into the conflict on the side of those forces opposing IS and therefore generalisations regarding motives and actions must be treated with care.

Action:
1. Ensure that the DSP and managers with responsibility for learner conduct, support and welfare are aware of the risks posed for those anticipating travel to conflict zones and ensure that the range of communication channels mentioned above are fully utilised.
2. Ensure that government advice is available for students e.g. 'Information and advice about travelling to Syria' and staff know where to get access to additional advice and support
3. Use opportunities within the curriculum to explore and challenge the issues and threats raised above, wherever appropriate
4. Promote core values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs.

4.5 Information and communication technology – digital literacy

Sophisticated, flexible and powerful mobile devices are readily available to the vast majority of the population and the penetration of these devices among the 16-24 age group in the UK is now around 90%. These

smartphone and tablet devices allow access to potentially harmful material at times and in places well away from the monitoring and controls of institutions and families. The mobile communication infrastructure has also been improved significantly, if not uniformly, so digital information is readily available in a variety of formats. This fast changing digital environment has proved challenging, especially where policies and practices have been overtaken by technologies.

 Monitoring of college computers, though based on improved filtering technologies and remote access to screens, has become much less likely to have any impact on learner or staff access to unauthorised and unsuitable material. Similarly those in positions of responsibility within institutions and in partner organisations have found it difficult to maintain their familiarity with and understanding of the fast-changing digital landscape.

However challenging this may prove, it is still expected that all colleges conform to regulations, protocols and guidance regarding the safe usage of college IT resources, including the use of filtering technologies. Procedures should include reference to any requirement to undertake research by staff or learners in topics related to violent extremism or terrorism. Such research should be subject to approval and careful vetting by appropriate senior staff. Significant cases have revealed that a lack of consistency in the application of such controls has led to undetected abuses over an extended period and increased the potential for harm to the individual and others.

Just as hardware has become transformed, the multiple channels and platforms for communication of words and images have led to an explosion in communication, rendering it much more difficult to monitor and to evaluate any risk.

Action:

1. Ensure that reports of access to harmful material are fully investigated promptly, and that staff across the institution are trained in the opportunities and risks inherent in diverse and developing range of digital technologies and that opportunities to explore the risks are taken up within the curriculum.
2. Ensure that policies and protocols regarding safe use of IT resources are regularly reviewed and updated, including the use of filters wherever possible
3. Ensure that a designated member of staff with appropriate knowledge and skills is given responsibility for maintaining currency of knowledge regarding potentially harmful developments in   digital technologies
4. Establish clear procedures for staff and learners engaged in research related to terrorism and extremism

4.6 Transformation

Whereas five years ago, at the beginning of the decade, there were 23 colleges in Wales, there are now 13, some of which are groups of colleges, while others are linked to or even integrated into HE institutions. This has created large organisations with access to economies of scale including the potential to develop specialisms in

the curriculum and in support services. The potential downside to these changes is the greater risk of inconsistencies in the implementation of policies, processes and procedures across a wide geographical area.

Additionally, risks can be increased as a result of the complex of nature of provision, including work-based learning, adult and community provision, satellite sites and sub-contracted provision.

Action: 1. Ensure that the implementation of policies, processes and procedures, especially those relating to Safe Learning Communities is monitored across all locations where learners are present, whatever the size, nature and location of provision.

4.7 Estyn Inspection Framework

A clear focus on safeguarding is an absolute priority for colleges and this is reflected in Estyn's approach to ensuring high standards in this area of college responsibilities. Estyn now expects colleges to plan and deliver a series of positive actions to ensure that learners are kept safe.

This will include documentary evidence of monitoring and review, regular revision of policies and procedures, and effective record keeping of referrals and outcomes. It will also include evidence of continuing professional development relating to the range of issues explored in this guidance at the appropriate level and to the appropriate staff. The Toolkit associated with this Safe Learning Communities Guidance is designed to ensure compliance with best practice in these processes and activities.

4.8 Government Strategies

The UK Government's *Prevent* Strategy was subject to review in 2011, and further updated in 2014, and its essential principles are outlined here. *Prevent* is one of the four strands of the UK Government's counter-terrorism strategy, CONTEST, and is concerned solely with pre-criminal activity. The aim of *Prevent* is to stop people becoming terrorists or supporting terrorism and violent extremism. *Prevent* will address all forms of terrorism but continue to prioritise according to the threat they pose to our national security.

The government maintains a fundamental commitment to protecting freedom of speech in this country but preventing terrorism will mean challenging extremist (and non-violent) ideas that are also part of a terrorist ideology. Prevent will also mean intervening to stop people moving from extremist groups or from extremism into terrorist-related activity.

The *Prevent* strategy will specifically:

• respond to the **ideological challenge** of terrorism and the threat we face from those who promote it;

• **prevent individuals from being drawn into terrorism** and ensure that they are given appropriate advice and support; and

• work with **sectors and institutions** where there are risks of radicalisation which we need to address.

These strategies are constantly under review to respond efficiently to changing risks and threats.

5. Creating Safe Learning Communities – guidance summary

This document provides guidance to Further Education Institutions (FEIs) in Wales in order to ensure that they conform to the statutory requirements of the Counter-Terrorism and Security Act 2005 and the associated Revised Prevent Duty Guidance, July 2015. It has been thoroughly revised to ensure that it is accurate, current and comprehensive, whilst remaining a useful resource for governors, principals, managers, teachers and support staff in FEIs. It is linked with a toolkit, also thoroughly revised, that enables FEIs to assess their level of compliance with new statutory requirements, and the extent which they can claim to be a safe learning community.

This Safe Learning Communities guidance explores the threats facing FEIs, the wider context of these threats, as well as developments in safeguarding and the support mechanisms now in place. It sets out the importance of those core values that should set the context for teaching and learning in FEIs as well as the curriculum developments which provide a vehicle for challenging violent and non-violent extremism, and their consequences.

Together with the self-assessment toolkit, the document enables FEIs to assess risks and produce an action plan to address these, both by actions taken within FEIs and in co-operation with external agencies. Central to the success of this strategy is effective communication within FEIs and appropriate training at all levels. The involvement of learners in implementing the Prevent strategy will also be essential.

As with any wide-ranging strategy, training and development will be required to ensure successful implementation. Plans are in place for such training, tailored to the needs of governors, leaders, managers and support staff. During the Autumn of 2015, information on content and schedules will be publicised.

As this is an area of activity that is subject to rapid and sometimes unexpected change, this guidance will be regularly updated to ensure that the content and advice remain current, correct and comprehensive.

6. Summary of actions identified in section 4 - Revised Guidance

4.1 Safeguarding

1. Ensure that Safeguarding procedures include provision for identifying and addressing risks relating to radicalisation and violent extremism, and that the DSP has developed channels of communication with appropriate external agencies, especially the police service.

2. Ensure that Safeguarding procedures in particular address the risks relating to access to and influence by digital resources which contain harmful content, and whose messages are in direct conflict with British values

4.2 Grooming - Contact with recruiters

1. Ensure that appropriate training is implemented for governors, principals, leaders and staff

2. Ensure in particular that staff are fully trained to recognise and communicate their concerns regarding potential risks associated with grooming and harmful influences of individuals, groups and digital media

4.3 Events, Meetings and Visiting Speakers

1. Ensure that agreed protocols are in place regarding events, visiting speakers and other visitors to institutions, and that these are subject to monitoring and reporting. If concerns are raised, institutions throughout Wales may access an open-source assessment via the BiS Prevent Coordinator.

4.4 Geo-political context

1. Ensure that the DSP and managers with responsibility for learner conduct, support and welfare are aware of the risks posed for those anticipating travel to conflict zones and ensure that the range of communication channels mentioned above are fully utilised.

2. Ensure that government advice is available for students e.g. 'Information and advice about travelling to Syria' and staff know where to get access to additional advice and support

3. Use opportunities within the curriculum to explore and challenge the issues and threats raised above, wherever appropriate

4. Promote British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs.

4.5 Information and communication technology – digital literacy

1. Ensure that reports of access to harmful material are fully investigated promptly, and that staff across the institution are trained in the opportunities and risks inherent in diverse and developing range of digital technologies and that opportunities to explore the risks are taken up within the curriculum.

2. Ensure that policies and protocols regarding safe use of IT resources are regularly reviewed and updated, including the use of filters wherever possible

3. Ensure that a designated member of staff with appropriate knowledge and skills is given responsibility for maintaining currency of knowledge regarding potentially harmful developments in   digital technologies

4. Establish clear procedures for staff and learners engaged in research related to terrorism and extremism

4.6 **Transformation**

1. Ensure that the implementation of policies, processes and procedures, especially those relating to Safe Learning Communities is monitored across all locations where learners are present, whatever the size, nature and location of provision.

Creating Safe Learning Communities

Revised Guidance for Colleges in Wales, August 2015

V1. 3 August 2015
V2. 7 August 2015
V3. 10 August 2015
V4. 11 August 2015
V5. 4 September 2015