

OPEN

BRIEFING REPORT

Scrutiny Committee

14 December 2023

**Update on the PREVENT and CHANNEL
Duty Guidance**

**Report of: Helen CHARLESWORTH-MAY Executive Director Health,
Care, and Integration**

Report Reference No: SC/13/23-24

Purpose of Report

- 1 The purpose of this report is to provide an update to Committee regarding the revised Statutory Duty Guidance regarding PREVENT and CHANNEL which seek to protect people who are susceptible to radicalisation.
 - As a Cheshire East is a council which cares and seeks to empower people, the PREVENT and CHANNEL duties reflect the Councils vision to protect and support our communities and safeguard children, adults at risk and families from abuse, neglect, and exploitation.

Executive Summary

- 2 This report describes the Governments overarching CONTEST strategy in addressing terrorism and radicalisation, summarises the revised PREVENT duties for specified authorities in England and Wales and sets out how we are supporting people who may be susceptible to radicalisation in Cheshire East via the CHANNEL process.
- 3 The first CONTEST strategy was published in 2003. Its aim is to reduce the threat of Terrorism to the UK so that people can live their lives safely and freely. The strategy enables government departments, local authorities, and intelligence agencies to work together to combat

Terrorism, and is supported by a framework based on the four pillars - Prepare, Prevent, Protect and Pursue.

- 4 Between the 2018 edition of the CONTEST strategy and the latest version published in July 2023, nine terrorist attacks have occurred in the UK and 39 terrorist plots have been disrupted. The landscape is constantly changing, becoming more diverse and complex. It includes domestic threats which can be less predictable and harder to detect and investigate, persistent and evolving threats from Islamist terrorist groups overseas and advances in technology providing opportunities for online exploitation/radicalisation.
- 5 The current conflict in the Middle East will have an impact on the PREVENT agenda. However, at the time of writing this report, the current official threat level to the UK remains as “Substantial” This means an attack is “likely” according to the government’s definitions. Raising it to critical would mean that intelligence and security services regard an attack as “highly likely in the near future”.
- 6 There is an established multi agency CONTEST Board in Cheshire which provides strategic oversight of regional activity. The Board is chaired by an Officer from Cheshire Fire and Rescue Services, and Cheshire East is represented by the Director of Adult Social Care and the Senior Manager from Emergency Planning.
- 7 It is vital that Local Authorities understand and uphold the overarching CONTEST strategy and fulfil their statutory duties by working with central government and local partner organisations to protect individuals and build resilient communities. For example, Local Authorities can do this by supporting Government PROTECT initiatives such as Martyn’s Law, which when it becomes law, will provide a way to protect the public when gathering in large venues; by endorsing the Governments See it, Say it, Sorted Campaign; by promoting the Act Early Website which provides information and advice to families about how to seek support; and by ensuring there are robust multi agency PREVENT and CHANNEL forums in place.
- 8 In February 2023 the Government published the findings from the Independent Review of PREVENT. The review undertaken by William Shawcross considered the 3 objectives of PREVENT. IE (a) to tackle the causes of radicalisation, (b) to safeguard those most at risk of radicalisation by providing early interventions and (c) to divert and rehabilitate those people already engaged in terrorism.
- 9 The Independent Review made 34 recommendations. These have been incorporated into the revised PREVENT and CHANNEL Duty Guidance.

The remainder of this report will focus on some of the changes and implications for residents in Cheshire East.

Background

- 10 The Counter Terrorism and Security Act 2015 outlines PREVENT duties for specified Authorities. The PREVENT Guidance is therefore statutory as outlined in Section 29 of the Act. The latest version comes into force on 31st December 2023. Other Authorities include Police, Health, Education, Police, and criminal justice agencies.
- 11 One of the recommendations in the PREVENT review proposed a change in terminology and language, and so the new Guidance refers to those people who may be “susceptible” to radicalisation, replacing the phrase those who may be “vulnerable” to radicalisation. This is because not everyone who is referred to PREVENT has a particular vulnerability in terms of age, disability etc.
- 12 The PREVENT delivery model as mentioned above, (paragraph 8) focuses on tackling the ideological causes of terrorism, early intervention, and rehabilitation/disruption. The ideological component is what sets it apart from other serious violence. The Review identified that the primary domestic terrorist threat comes from Islamist terrorism, followed by Right-Wing terrorism which uses terrorist violence to further their ideology. Whilst Islamist terrorism is usually found within organised groups, Extreme Right-Wing activity typically involves informal online communities. Other ideologies that may fall within the PREVENT agenda include antisemitism, misogyny, anti-establishment or anti LGBT grievances or mixed unclear ideologies. In practice the PREVENT Guidance highlights the importance of applying a consistent but proportionate threshold to PREVENT activity across all ideologies based on Risk. This may mean that most resources are allocated to the type of Terrorist activity presenting the highest risk.
- 13 In terms of Early Intervention, the Guidance advises Professionals to use the “notice, check and share” approach and to always use the national referral form. In Cheshire East this Form is hosted on the Safeguarding Adults Board Website and can be used to refer either an adult or a child. If a referrer is unsure, then best practice is to share information rather than to withhold it. For members of the Public, the ACT Early website provides advice and guidance.
- 14 From April 2024 the Police will be the lead agency for receiving PREVENT referrals, performing gateway assessments, information gathering and coordinating information. The DOVETAIL model, of which Cheshire East has been part of since 2017, will cease. The Home Office has made this decision based on cost and consistency. Clear distinctions will be made between those people who present with a

“terrorism susceptibility” requiring CHANNEL support and those who pose a “terrorism risk” requiring management by the Police.

- 15 The PREVENT guidance sets out the expectations and requirements for specified Authorities (including Elected Members and Senior Officers) to fulfil their duties. These are grouped under the themes of leadership and partnership working, capacity to understand and manage risk and share information, and the ability to reduce permissive environments (e.g., safe venue hire). A PREVENT Duty Toolkit for Local Authorities accompanies the Guidance and is a useful way of measuring compliance with Statutory Duties.
- 16 The Guidance emphasises the importance of robust Governance Arrangements. In Cheshire East, a Multi-Agency PREVENT Board was established in 2022. The Board provides strategic oversight of local activity, including receiving reports from the Cheshire East Channel Panel. The Local Authority will retain responsibility for Chairing Channel Panels. The Home Office will continue to monitor local activity and Cheshire East will be required to complete an annual Benchmarking Assessment.
- 17 In addition to the revised PREVENT duty guidance, the CHANNEL duty Guidance has also been updated and was published in October 2023. Local multi agency CHANNEL panels provide a voluntary “wrap around” offer of support to those people who have been identified as being susceptible to radicalisation. Individuals who are adopted by a CHANNEL panel also benefit from having access to 1:1 support from Intervention Providers who have been matched with them and are able to tackle specific ideologies. Specific CHANNEL duties are laid out in Section 36 and 38 of the Counter Terrorism and Security Act 2015.
- 18 The new CHANNEL Guidance includes changes to the assessment framework and professionals will be using a new assessment tool (PAF) which will identify relevant counter terrorism factors and the panel will be required to produce a support plan which specifically addresses each of those factors. The Guidance strengthens the processes around consent, as well as strengthening the exit pathways and identifying a lead professional and increasing the frequency of reviews. CHANNEL cases will remain open to the panel until the terrorism susceptibility has reduced, the terrorism risk has increased and is to be managed by the police or consent has not been obtained or has been withdrawn. CHANNEL panels will routinely request feedback from individuals who have received support and from families where relevant. CHANNEL chairs will be required to consider disclosure if an individual holds a Position of Trust and is subject to CHANNEL arrangements.

- 19 CHANNEL panels will also continue to complete an annual self-assessment which is submitted to the Home Office each year.
- 20 The Home Office may facilitate a PREVENT learning review where terrorism offences or incidents of serious violence have occurred to identify national learning and drive system improvement. PREVENT learning reviews may run in tandem with other statutory reviews.

Briefing Information

- 21 The Home Office produces a Counter Terrorism Local Plan (CTLP) for every Local Authority each year which is sent to the Chief Executive of the Council and is shared with members of the PREVENT Board.
- 22 Cheshire East has a live Situational Risk Assessment which is based on the CTLP and is monitored by the PREVENT Board. In addition to this the Police share a monthly dashboard with the CHANNEL panel, which includes referral data, referral source, ideology, gender and age details. Whilst it is not permitted to share this information in the public domain, it should be noted that numbers of PREVENT and CHANNEL referrals is low in Cheshire East compared with other Regions.
- 23 A local CHANNEL panel Annual Report captures local activity, training, achievements and most importantly “stories of difference” from those people who have received support from CHANNEL.
- 24 Cheshire East also has a live PREVENT Action Plan which is based on the Home Office Benchmarks. It captures evidence of activity for example training, communications, policies, and procedures. This is monitored via the PREVENT Board and is shared with the Home Office.
- 25 It should be noted that the Home Office feedback from the 2022-2023 Benchmarking Assessment rated Cheshire East as “exceeding” and we are pleased to be recognised as a very effective partnership. However, there is always areas to improve, and Cheshire East will continue to strive to implement best practice and learn from other organisations and it should be noted that our local policies will need to be updated to reflect the changes in the revised national guidance.
- 26 During the period of transition from the DOVETAIL model of delivery to the POLICE led model 2023-2024, Officers from Cheshire East have been provided with regular updates from Cheshire Police. Delays in recruitment and Police vetting procedures have meant the handover timeframe has had to be extended. However, this will be fully operational by April 2024. It is hoped that information sharing, and coordination will continue to be effective to reduce any risks to individuals or communities.

- 27 Finally, Cheshire East would like to express their appreciation to the DOVETAIL Coordinators who have worked consistently and professionally to provide an excellent service to those people who have been susceptible to radicalisation.

Implications

Monitoring Officer/Legal

- 28 Full details of the PREVENT and CHANNEL statutory guidance can be found in the Information Section of this Report. However, the legal status is found in the Counter Terrorism and Security Act 2015. To note that the updated CHANNEL Guidance continues to stipulate that consent should be obtained from Parents or Guardians for those young people who are under 18. This may be open to challenge in the future as there is a conflict with the Mental Capacity Act 2005, which is applicable to everyone aged 16+.

Section 151 Officer/Finance

- 29 There are no financial implications to this report.

Policy

- 30 The Statutory Guidance is applicable to Cheshire East as we are regarded as a specified authority.

<p>An open and enabling organisation</p> <p>(Include which aim and priority)</p>	<p>A council which empowers and cares about people</p> <p>To protect and support our communities and safeguard children, adults at risk and families from abuse, neglect, and exploitation.</p> <p>Work together with our residents and partners to support people and communities to be strong and resilient.</p>	<p>A thriving and sustainable place</p> <p>A great place to live, work and visit</p> <p>Welcoming, safe and clean neighbourhoods</p>
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Human Resources

- 31 There are no changes to Human Resources. The statutory guidance sets out requirements for Channel Panel Chairs and Prevent Board Chairs. Cheshire East is compliant with the Guidance.
- 32 Administrative support is provided by the Adult Safeguarding Service.

Risk Management

- 33 The Counter Terrorism Local Plan is created by the Counter Terrorism Police. A live Risk Management Plan is in place which is monitored by the PREVENT Board. Whilst every effort is being made to reduce the risk of Terrorism, it is recognised that risks cannot be completely eradicated.

Rural Communities

- 34 The Guidance is applicable to all communities in Cheshire East.

Children and Young People including Cared for Children, care leavers and Children with special educational needs and disabilities (SEND)

- 35 Young people are susceptible to radicalisation. Education providers are compliant with Prevent Training and refer appropriately to Channel Panel. Everyone who is adopted by Channel, regardless of age, will receive an individualised support plan to address the bespoke factors. Childrens Services are very proactive in the Channel Decision making processes.

Public Health

- 36 People who are referred to PREVENT or CHANNEL sometimes have specific needs which make them susceptible to radicalisation. This may include mental, emotional, or physical health difficulties. By providing targeted interventions it is hoped that this will have a positive impact on the health and wellbeing of those individuals, families, and communities – particularly young people who are seeking identity and meaning in life.

Climate Change

- 37 There are no implications for Climate Change linked to this report.

Access to Information	
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Appendices:	None.
Background Papers:	Counter-terrorism strategy (CONTEST) 2023 - GOV.UK (www.gov.uk) Prevent duty guidance: England and Wales (2023) - GOV.UK (www.gov.uk) Prevent duty toolkit for local authorities - GOV.UK (www.gov.uk) Channel Duty Guidance: Protecting people susceptible to radicalisation (publishing.service.gov.uk)