



## Prevent Duty Policy and procedure

### Prevent Duty Policy Statement

#### Introduction: Legal Context

The Counter Terrorism and Security Act 2015, section 26 places a duty on 'specified authorities' including Colleges and Universities to have "due regard to the need to prevent people from being drawn into terrorism". ICON College of Technology and Management as a 'Relevant Higher Education Body (RHEB)' is subject to this duty. This legislation is given specific statutory force through the Prevent Duty guidance for higher education institutions in England and Wales, referred to as the 'Prevent Duty'.

The underlying considerations adopted by the College in implementing the Prevent Duty are:

- a commitment to the safety and wellbeing of our staff and students and all who interact with the College, including not being victims of, or complicit, with any activities linked to radicalisation;
- upholding the legislative requirements and champion the spirit of academic freedom and freedom of speech within the law and with the appropriate obligations and responsibilities arising from such freedoms. To this end the College has developed a separate Statement on Academic Freedom and Freedom of Speech;
- preserving equality and diversity as foundations of College life, whilst ensuring these values are not threatened;
- supporting campus cohesion and harmonious relations across all parts of the College community;
- that the requirements described in this Policy are implemented in a proportionate and risk-based manner, relevant to the local context in which the College is based.

The legal definition of terrorism as defined in the Terrorism Act 2000 applies to the Prevent duty. The College acknowledges and upholds the position that the definition of terrorism in the Terrorism Act is broad, in describing it as "the use or threat of action which involves serious damage to property; or endangers a person's life; or creates a serious risk to the health and safety of the public or a section of the public; or is designed seriously to interfere with or disrupt an electronic system. The use or threat must be designed to influence the government or to intimidate the public and is made for the purpose of advancing a political, religious, racial or ideological cause."

Terrorism may take the form of extremist behaviour and acts. The statutory Prevent Duty guidance defines extremism 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 and calls for the death of members of our armed forces, whether in this country or overseas”.

In accordance with this definition, the College considers that extremist ideologies, and those who express them, undermine the principles of freedom of speech and academic freedom. Freedom of speech and academic freedom, as separate but interrelated liberties, are key features of College life and the College will produce a separate Statement on Academic Freedom and Freedom of Speech, which sets out the legal obligations, rights and responsibilities related to preserving this freedom.

HEFCE is the principal regulator of the College and has established a monitoring framework to assess compliance of all RHEBs with the Prevent Duty. The College has a legal duty to provide reports and evidence of its compliance with the Prevent Duty to HEFCE, including serious issues, which arise related to the College’s Prevent responsibilities. HEFCE’s role does not extend to investigating terrorism-related incidents on campus.

### **Scope and application of this Policy**

The purpose of this Policy is to provide high-level information on the requirements of the Prevent Duty, the College’s approach to complying with the duty, and how the arrangements required under the Duty are being satisfied. Further details on specific arrangements in place are provided in separate policies and procedures.

This Policy applies to all staff, students and third parties of the College and to all College-controlled activities undertaken in the UK

The Prevent duty requirement does not apply to:

- activities undertaken by the College in other countries, although the College would not expect any activities directly related to the College overseas to be at odds with this Policy;
- Student Representatives: However, the College is required to ensure that arrangements are in place to ensure that activities undertaken in its name comply with the Prevent duty.

### **Arrangements to deliver the Prevent Duty**

#### **Working in Partnership**

The College will work in close partnership with other relevant partners including the BIS HE/FE Prevent Lead, police, local authorities and establish formal links and representation at a senior level of the College for sharing good practice in approaches, and information where this is a necessity.

#### **Leadership and Governance**

The Senior Management Team has a responsibility to ensure the College satisfies the requirements of the Prevent Duty, with leadership and implementation delegated to the Principal as the Authorising Officer for Prevent-related matters.

The College has established a Prevent Lead Team (PLT) chaired by the Principal (Professor Nurun Nabi), the other members being the, Managing Director (Mr. Azizur Rahman), Vice Principal (Professor Reza Joadat), two Heads of Department (Mr. Nazimudeen Saleem and Mr Morris Anglin), the Student Welfare Officer (Mr. Nasir Uddin), and a Student Representative who play a role in the Prevent Policy to oversee implementation of the Prevent Duty and ongoing review of requirements.

### **Risk Assessment and Action Plan**

The College has developed a Prevent Duty Risk Assessment/Action Plan of how and where students and staff might be drawn into terrorism, including violent and non-violent extremism, and an associated action plan to mitigate risks. The Risk Assessment addresses the adequacy of institutional policies and arrangements regarding the campus and student welfare, including equality and diversity and the safety and welfare of students and staff. The Risk Assessment and Action Plan is coordinated by the Principal, and developed and reviewed by the PLT.

### **External and Visiting Speakers and Events**

The College has developed a Policy on Guest/External Speakers to reflect the Prevent duty responsibilities. The Policy sets out the arrangements for managing events on campus and the use of premises. The Policy is set within the context of the statutory responsibility of the College to secure freedom of speech. These principles will have been supplemented and strengthened by a separate Statement on Academic Freedom and Freedom of Speech. The Policy will also be mindful of the freedom of expression, association and assembly in the Human Rights Act 1998. The legislation, however, emphasise the importance of freedom of speech within the law and the duties of the College and the obligations of the organisers of speakers and events to act within the law. A risk-based approach to the assessment of events will be taken and this may require modification of adjustments to the content of or arrangements for events to mitigate risks in respect of the Prevent duty. The right is reserved by the College to prohibit events where speakers promote or seek to incite hatred of, or violence against others. In this regard of, prior approval of the guest speaker event as well as the speaker will be required by the Principal. The Principal and the PLT will carry out a due diligence check on the speaker through research and intelligence from Prevent Partners before being approved or rejected. As a mitigation strategy, staff and students who could have been affected will be monitored by the PLT.

### **Welfare and Pastoral Care**

The College has in place a range of services for welfare and a pastoral support system provided centrally. The College has multi-faith prayer facilities. The College's welfare and pastoral support plays a key part in promoting understanding between individuals and groups.

### **Staff Training**

The College will develop and make accessible training materials available to academic and support services staff outlining the requirements of the Prevent Duty, including guidance and support provided at a national level to support the delivery of training within the College. The College has already contacted the Local Authority Prevent Project Team for arranging initial training and further training will also be delivered to all staff to aid awareness of the Prevent duty

and its requirements, and the arrangements that the College has in place to seek to prevent staff or students from being drawn into terrorism, or become victims of it. This will include training all members of staff, both academic and administrative team to understand the factors that make people support terrorist ideologies or engage in terrorist-related activity, recognise vulnerability to being drawn into terrorism, and be aware of what action to take in response. Training will also be provided to recognise individuals who would be affected by extremism and radicalization as well as to respond to such circumstances. A clear training events Course and dates have been included in the action plan provided.

## **IT Networks**

As for online safety, the College has developed a clear policy and framework for the use of IT and web facilities at the premises. Recently, the College has installed web-filtering facility called IBOS, one of the recommended software package by HEFCE, which is effectively implemented by the IT team. All students and staff at the College are required to log in with a password and user name through iBOSS to access the facilities and use of the Internet. The monitoring system is in place to monitor any breaches or attempt to breach the IT use policy by the network manager. The accessed website are recorded by the iBOSS system and any activities taken place on these websites are compared to the keyword provided by the iBOSS triggering an alert that was issued to check the three areas of risks, namely content, contact and conduct.

Staff and students, however, will be able to access the systems for any bona fide teaching and research purposes as approved by the College. The College Prevent Lead Team will review and approve or to be barred based on which materials would be considered harmful or not-fit for access within the context of Prevent Duty criteria against academic freedom. This will also come under the College's procedure related to IT Acceptable Use.

## **Student Engagement**

The College is committed to engaging with its students in relation to the new Prevent Duty requirements. This engagement includes collaboration and consultation on Prevent duty policy requirements as developed and delivered by the College, representation of Students and Management on the PLT, and ongoing dialogue to ensure that the arrangements between both parties are joined up and effective.

## **Referral and Reporting**

The College's intended implementation of the Prevent duty is not to challenge or re-shape the current relationship between staff and students, or between any other stakeholders. Instead the focus is that, in the rare event that a member of our community – be it a staff member, student, or anyone else connected with the College – has a serious concern that someone else in our community is potentially being drawn into violent extremism or terrorism, they know where to seek advice and what to do with that concern.

When a concern is raised about an individual in line with the process following this paragraph, we will respond sensitively and appropriately, mindful of the fact that some of the factors which may appear as signs of a person's potential radicalisation might, in fact, be signs of a wide range of other support needs on the part of that individual. The College therefore recognises the difficulties in defining attitudes and behaviours which may suggest someone has been, or is

being, drawn into terrorism but would encourage concerns to be reported as shown below. Possible indicators, which may suggest a referral are provided in the 'When to Refer' Guidance.

Where an individual is thought to be at imminent risk of harm to themselves or others, the Principal should be contacted immediately on the 24 hour emergency number: 07956869751 or call the emergency number 999 (police) and in his absence, the Managing Director should be contacted immediately on 07812507863.

For Prevent Duty related concerns about students where there is not perceived to be an immediate threat to the individual concerned or others, the College Student Welfare Officer should be contacted directly by dialling 020 7 377 2800. The Student welfare officer, who is a member of the PLT, should liaise with the chair of the team.

For concerns about staff where there does not appear to be an immediate threat to the individual concerned or others, the Principal should be contacted immediately with details of the concern. The Principal will liaise with the Senior Management Team as the Chair of the Prevent Lead Team, which may require referral to the external authorities, including the police.

It is recognised that allegations against, or concerns about, staff and students may be submitted via other routes. In turn, these may be raised anonymously, in which case these will be raised as per the relevant routes above.

Allegations or concerns which are raised by anonymous individuals will be investigated where there are sufficient grounds or scope to be able to do so, based on the information provided.

If an allegation is made frivolously, in bad faith, maliciously, or for personal gain or revenge by a student or staff member, disciplinary action may be taken against the person making the allegation. However, no action or detriment related to employment or study respectively will be taken against any member of staff or student who raises a genuine concern that proves to be unfounded.

The College may follow disciplinary procedures against any member of staff or student who is found to have committed criminal acts or any other activities related to terrorism, in the Course of their studies or work activities, which may result in expulsion or dismissal through the hearing of the Misconduct Committee.

The College has a legal duty to share information – in confidence – within the College, and with external authorities, on matters related to individuals assessed as vulnerable to being drawn into terrorism, or at risk of being complicit in terrorist activity. Confidentiality cannot be guaranteed if, as a result of an investigation, individuals are requested to participate in subsequent investigations by the statutory authorities.

A confidential record of all internal and external referrals made under this policy will be kept. In reaching any decision about external referral, the College will have regard to its obligations under its Data Protection Policy and the Data Protection Act 1998. Concerns will only be shared externally where there is a clear and compelling requirement to do so.

## **Related safeguarding considerations**

Concerns about individuals being drawn into terrorism may raise related welfare and safeguarding considerations, due to the likelihood of increased personal vulnerability (e.g. due to the recruitment tactics employed by radicalisers) and the possibility of associated abuse. Additional referral options exist for such cases, which would be explored and agreed with external safeguarding and statutory agencies as required.

For guidance on the application of this Policy, please contact:

Principal and the Chair of Prevent Lead Team: Professor Nurun Nabi

## **Statement on Academic Freedom and Freedom of Speech**

The Counter Terrorism and Security Act 2015, section 26 places a duty on Higher Education amongst others, to 'have due regard to the need to prevent people being drawn into terrorism'

Furthermore, section 31 of the act requires that in meeting the section 26 duty, institutions must have;

- Particular regard to the duty to ensure freedom of speech
- Particular regard to the importance of academic freedom.

The College has developed this statement to demonstrate its commitment to promote Academic Freedom and Freedom of Speech within the law for its members of staff, students and external speakers who make use of College facilities.

In order to promote this commitment, the College will not deny any registered student, employee of the College, or any individual or body of persons invited onto College premises, on any grounds relating to their beliefs, views or policies, except insofar as their expression of such beliefs, views or policies shall be unlawful.

Where it is reasonably anticipated that their expression of such beliefs, views or policies shall be unlawful, the College will prevent access to its premises.

The College commits to not restricting debate or deliberation simply because the views being expressed may be considered unwise or offensive, and therefore expects any registered student, employee of the College, or any individual or body of persons invited onto College premises, to show commitment to the same principle by not obstructing or interfering with the rights of others to express views with which they may disagree.

# **External Speaker Policy and Authorisation Procedures**

## **Introduction**

All staff and students have the right to study without fear of intimidation, harassment and threatening or extremist behaviour.

Having regard to the provisions of relevant legislation, the College seeks to prevent the exploitation of academic freedoms by way of tolerance and respect for diversity. Intolerant behaviour, motivated by prejudice or hatred that intentionally demeans individuals and groups defined by their ethnicity, race, religion and/or belief, sexuality, gender, disability, age or lawful working practices and which gives rise to an environment in which people will experience, or could reasonably, fear harassment, intimidation or violence will not be tolerated by the College.

This policy and procedure have been produced to ensure that all external speakers comply with the College's policies, procedures and conduct principles.

## **Guest/External Speaker Authorisation**

The process for authorising the use of a guest/external speaker at the College, or at any event in the College name, will comprise of 5 stages: Identification, Assessment, Authorisation, Monitoring and Review.

### **Stage 1 - Identification**

Where a member of staff, student or student representative individual or group wishes to use an external speaker for an activity in the College name, they must first complete section A of the 'Guest/External Speaker Consent Form' and submit it to the College Principal.

At this stage, a file of documentation and actions will be created and retained by the Principal. This will permit any subsequent challenge of the College decision to be fully investigated and be seen to have been arrived at through a fair and robust decision making process.

The consent form should be received by the Principal at least 10 working days prior to the event. However, the College reserves the right to delay any proposed guest/external presentation or speech until a full and satisfactory assessment has been carried out.

### **Stage 2 – Assessment**

Upon receipt of the consent form the Principal, supported by any individual or body that she/he deems appropriate, such as members of College staff, members of the Senior Management Team, independent advisor, Local Authority prevent team, the Police, or Home Office, will conduct open research and carry out a due diligence check on the speaker and decide if the guest/external speaker has any potential to be inflammatory. This research may include: published materials, known affiliations, previous speech content etc.

The member of staff or student who has requested consent to use an external speaker, should provide as much detail as possible as to the content of the guest's or external speaker's proposed delivery, and where possible, any documents to be distributed.

### **Stage 3 – Authorisation**

Upon completion of the assessment, the Principal will either authorise or refuse the event and complete section B of the 'Guest/External Speaker Consent Form'.

In all cases, a refusal decision will be made where the guest/external speaker:

- has been or is currently associated with: Home Office Proscribed Organisations, Organisations, which advocate acts of terrorism, or any organisation whose beliefs contradict the College's Equality and Diversity policy.
- has expressed an opinion/interpretation in public, which: Contradicts the College's Equality and Diversity policy in any way, Advocates involvement in violence abroad, Promotes the isolation of members of society from others, or, is likely to isolate any individual/group of individuals within the College
- proposes to use content, which is likely to undermine the College's Equality and Diversity policy.

Documentation relating to assessment and the decision to authorise or refuse will be retained by the Principal for 5 years following the decision to authorise or refuse the event.

### **Stage 4 – Monitoring**

Where the use of a guest/external speaker is authorised by the Principal, the presentation given will be attended by at least one member of staff designated by the Principal. The member of staff will be expected to monitor the event and complete section C of the 'Guest/External Speaker Consent Form'.

Where it is decided to authorise a guest/external speaker and either the speaker or subject matter of the presentation has been highlighted as having the potential to be controversial, the Principal may prescribe monitoring of the presentation by way of video camera or audio recording. In order for the College to protect itself from any subsequent challenge or adverse publicity regarding the authorisation of an event involving a guest/external speaker, and to assist in any subsequent investigation, the final decision on this matter will rest with the Principal and will not be negotiable.

### **Stage 5 – Review**

Within 10 working days of the conclusion of the event, the member of staff designated to monitor the event will complete section D of the 'Guest/External Speaker Consent Form'.

The review will summarise the event monitoring, and feedback received (both positive and adverse) and make a justified recommendation for future invitations of the guest/external speaker and the suitability of the subject matter for future guest/external presentation.



## **Policy Review**

The Senior Management Team will review the Prevent Policy twice a year and as required based on the emerging developments and government criteria as well as future legislations.