

Wiltshire Council

Full Council

18 October 2022

Part 3B of the Constitution: Responsibility for Functions - Prevent Duty and Channel Programme

Executive Summary

The purpose of this report is to seek Full Council approval for the local authority function of Channel to be included within Wiltshire Council's constitution as required in the annual Home Office Channel Assurance Statement.

The report provides an outline of Prevent and the Channel programme. It calls attention to the statutory Prevent duty placed on specified authorities to prevent individuals supporting, or committing acts of terrorism and how we, as a council are adhering to this via the Wiltshire Prevent Board and Channel Panel.

Proposal

That Full Council:

Agree to Channel's inclusion in the framework of Wiltshire Council's constitution within Part 3B: Responsibilities for Functions as set out in Appendix 1.

Reason for Proposal

Local authorities are required to complete an annual 'Channel Assurance Statement.' This outlines council compliance with facets of Channel delivery articulated in the Channel Duty Guidance 2020 and sections 36 – 41 of the Counter Terrorism and Security Act (CTSA) 2015.

The Channel programme's key objectives are to support, safeguard and improve outcomes for individuals identified as susceptible to being drawn into terrorism (the process of radicalisation).

The assurance statement forms part of the national quality assurance framework and is used to identify local authority areas where additional support is required, or, where reviews should be undertaken.

Chief Executive sign-off is required for this and completion is required by all local authorities in England and Wales.

Part of the statement requires that 'Channel, as a local authority statutory function (Section 36 of the CTSA), is included within the local authority's constitution.'

Professor Kate Blackburn
Director - Public Health

Wiltshire Council

Full Council

18 October 2022

Part 3B of the Constitution: Responsibility for Functions - Prevent Duty and Channel Programme

Purpose of Report

1. This report provides a background understanding of Channel and Prevent. The Counter Terrorism and Security Act 2015 placed the statutory Prevent duty on specified authorities (including local authorities) in England and Wales to have 'due regard to the need to prevent people from being drawn into terrorism'. A key part of this is the Channel programme. This report seeks to facilitate a decision on Channel's inclusion in Wiltshire Council's Constitution.

Relevance to the Council's Business Plan

2. Reducing risk of radicalisation is relevant to the key themes outlined within Wiltshire Council's business plan, 2022-2032:
 - Prevention and early intervention
 - Improving social mobility and tackling inequalities
 - Understanding communities
 - Working together

Background

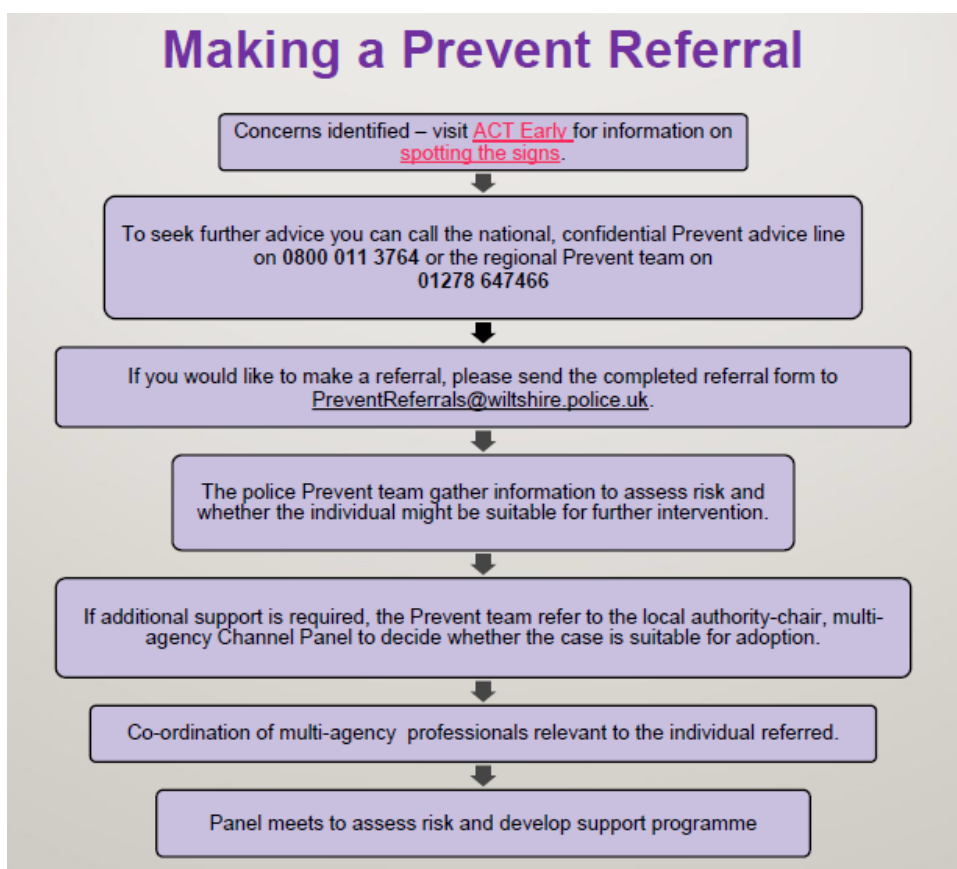
3. The Standards Committee has responsibility for oversight of the Council's constitution. It has established a cross party working group, known as the Constitution Focus Group, to advise and assist in carrying out this function.
4. The Constitution Focus Group met on 12 April 2022 and 1 June 2022 to consider how to incorporate the Channel Panel within the Constitution.
5. The Standards Committee considered the proposals of the Focus Group on 15 June 2022 and recommended Council adopt the proposals set out in Appendix 1.

Main Considerations

Channel

6. The Counter-Terrorism and Security Act 2015 made the multi-agency Channel programme a legal requirement and statutory duty for local authorities.
7. Channel is a collaborative early intervention programme to safeguard and provide personalised support to individuals (of all ages) identified as susceptible to radicalisation. This is to ensure their vulnerabilities are not exploited by terrorist recruiters and to divert them away from a potentially harmful or criminal pathway.
8. Support is wide-ranging and can include:

- Education or career advice
 - Assistance coping with mental or emotional health issues
 - Substance misuse support
 - Community integration
 - Diversionary activities of interest
 - Ideological mentoring from specialist intervention providers (commissioned by the Home Office) who work with individuals on a one-to-one basis.
9. Participation in Channel is voluntary and confidential, with consent being obtained prior to provision of support. It does not criminalise the individual, rather, it aims to divert them from coming to or causing possible harm.
10. Individuals are identified via referral. Anyone can refer to Prevent and Channel. The referral pathway is shown below:



11. The extent and nature of risk is assessed in partnership with Counter Terrorism Policing South West and other key agencies. Following this, an appropriate programme of support is compiled based on the individual's needs.
12. The Channel programme sits within the Prevent Duty.
- Prevent
13. Prevent is one of four key strands within the government's overarching Counter-Terrorism strategy, Contest. It is the earliest stage of counter terrorism intervention.
14. An overview of the four areas is shown below:

- Prevent: to stop people becoming terrorists or supporting terrorism.
- Pursue: to stop terrorist attacks.
- Protect: to strengthen our protection against a terrorist attack.
- Prepare: to mitigate the impact of a terrorist attack.

15. The aim of the Prevent strategy is 'to reduce the threat to the UK from terrorism by stopping people becoming terrorists or supporting terrorism'.

16. The 2011 Prevent Strategy has three specific strategic objectives:

- respond to the ideological challenge of terrorism and the threat we face from those who promote it
- prevent people from being drawn into terrorism and ensure that they are given appropriate advice and support
- work with sectors and institutions where there are risks of radicalisation that we need to address.

Local Delivery

17. The Channel programme sits within the same governance as the Wiltshire Prevent Board.

18. The Wiltshire Prevent Board sits within the governance arrangements of the Wiltshire Community Safety Partnership (CSP), and it supports a key strategic outcome of 'Enabling Safer Communities' within the CSP's framework. The Chair and Vice-Chair of the Community Safety Partnership were informed that this report would be presented to Full Council. The partnership will be informed of the outcome.

19. The board also sits within the governance of the Strategic Contest Board, a Wiltshire and Swindon board chaired by a Wiltshire Police Assistant Chief Constable.

20. The Prevent Board's first strategy (2021 – 2025) was recently approved by both the Wiltshire Community Safety Partnership and Strategic Contest Board.

21. The Wiltshire Channel Panel has monthly meetings to assess any new referrals.

22. Channel is chaired by a Public Health Principal within the local authority.

23. Wiltshire has departmental and organisational Channel Champions who support the identification of relevant partner representatives at meetings. Champions receive additional opportunities for training and support the sharing of key messages.

24. Partners involved at each panel meeting include: Public Health, Counter Terrorism Policing South West, adult or children's safeguarding services (dependant on age) and mental health if there is a mental health concern present. Additional partners are included case dependant, such as: education, local policing, health, housing providers and substance misuse services.

25. There is now a requirement to complete and submit to the Home Office a Channel Panel Assurance Statement. This provides centralised oversight to Channel Panels across England and Wales.

26. The statement is in conjunction with a programme of support encompassing training for chairs, deputies and panel members, Home Office Channel Panel observations and a regional Channel quality assurance lead.

The council are asked to consider the following steps

27. To support the ongoing work of the Wiltshire Channel Panel and Prevent Board

28. To agree to Channel, as a local authority statutory function (Section 36 of the CTSA), being included within the local authority's constitution as required in the Channel Assurance Statement.

29. The Focus Group considered proposed amendments and sought additional details on engagement with or reporting to elected Members, membership of the Panel, and how other authorities were complying with the latest guidance.

30. The Focus Group made a series of changes to the proposed text in order to improve clarity, which were considered by the Standard Committee.

31. Following minor amendment on reference to specific job posts, the Committee recommended the amendments be adopted by Full Council.

Overview and Scrutiny Engagement

32. The Overview and Scrutiny Chair and Vice-Chair have been consulted on the recommendation to include Channel as part of the constitution.

Safeguarding Implications

33. Safeguarding is a key part of the Prevent Duty. Public Health lead on Prevent and work in partnership with adult and children safeguarding teams for the functions of the Prevent Board and Channel Panel.

Public Health Implications

34. Terrorism has huge implications for the health of individuals, communities, economies, and populations worldwide. It affects public well-being and can lead to the erosion of trust, the spread of prejudice and fear with adverse health outcomes for those directly and indirectly involved.

35. By reducing risk of radicalisation in the first place and ultimately incidents of terrorism, we can reduce if not halt these possible consequences.

Procurement Implications

36. There are no procurement implications at present.

Equalities Impact of the Proposal

37. An equalities impact assessment has not been undertaken. It should be noted that some individuals within this process may fall into certain protected characteristics under the Equality Act 2010 (i.e Age, Disability, Gender Reassignment, Marriage/Civil Partnership, Maternity/Pregnancy, Race, Religion, Sex and Sexual Orientation). The council will ensure that the panel meets any duties under the Act.

Environmental and Climate Change Considerations

38. Environmental and climate change considerations do not affect the decisions within this proposal; however, Channel and Prevent Board meetings are now held virtually which reduces need for travel across the county and therefore the harmful environmental impact of such travel.

Risks that may arise if the proposed decision and related work is not taken

39. Potential harms to the health and wellbeing of Wiltshire residents if the risk of terrorism were not reduced.
40. Potential economic impacts of terrorism
41. Risk of reputational damage if an incident occurred within the county and standards of the statutory duty had not been met. Additional legal risk of not meeting the council's statutory duty.

Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks

42. There is a potential reputational risk if the Channel process is not delivered once the programme is included in the constitution. There is a robust quality assurance process in place, which requires the local authority to report back to the Home Office on an annual basis to ensure we are fulfilling our duty. The Home Office have also allocated regional Channel Quality Assurance Leads. The lead for Wiltshire will be notified of Cabinet's decision to ensure we are compliant with the duty.

Finance Implications

43. There are no financial implications arising from this report as the costs predominantly of staff time, are already being met from existing budgets.

Legal Implications

44. If it is not agreed to include Channel within the constitution, Wiltshire Council will not be adhering to the statutory duty and therefore could be subject to challenge.
45. This report has not specified Channel case numbers according to Home Office guidance.

Workforce Implications

46. Public Health currently fund a practitioner role to co-ordinate this work. The board is chaired by the Public Health Principal for Vulnerable Communities. It is important the local authority continues to ensure statutory requirements are met for both Prevent and Channel.

Conclusions

47. The Counter-Terrorism and Security Act 2015 makes the Channel programme, a key part of the Prevent Duty, a legal requirement.

48. As part of fulfilling this, the council must complete and return an assurance statement to the Home Office each year. Part of this statement requires that 'Channel, as a local authority statutory function (Section 36 of the CTSA), is included within the local authority's constitution.'
49. It is a requirement for Channel to be included in Wiltshire Council's constitution. It has been determined this would be appropriate within Part 3B: Responsibilities for Functions. It is recommended that the constitution is amended to include the reference as set out in Appendix 1.
50. Following Council's decision, the outcome will be recorded within the Channel Assurance Statement for sign off by Wiltshire Council's Chief Executive and returned to the Home Office.

Professor Kate Blackburn – Director, Public Health

Report Authors: Kelly Fry, Public Health Principal and Katherine Hoskin, Public Health Practitioner.

Appendices

Appendix 1 – Proposed revisions to Part 3B

Background Papers

[PREVENT - Safeguarding - Wiltshire Council](#)

Appendix 1 – Part 3B: Responsibilities for Functions

Addition	Part of the Constitution
<p><u>Local Authority Panels</u> Channel Panel</p> <p>8.1 The Channel Panel uses a multi-agency approach to protecting people vulnerable to being drawn into terrorism. The Channel Panel was established in line with the Counter-Terrorism and Security Act 2015.</p> <p>8.2 The Channel Panel forms part of the council’s Prevent Duty. The relevant Cabinet Member attends meetings of the Prevent Board.</p> <p>8.3 The Channel Panel is required to:</p> <p>8.3.1 Identify individuals at risk</p> <p>8.3.2 Assess the nature and extent of that risk;</p> <p>8.3.3 Develop the most appropriate support plan for the individuals concerned.</p> <p>8.4 The key requirements of the Channel Panel:</p> <p>8.4.1. The local authority is the Channel Panel Chair;</p> <p>8.4.2. Membership of the panel must include the local authority and the police as they have principal responsibility for Channel in their area;</p> <p>8.4.3. Minimum membership of the panel includes:</p> <ul style="list-style-type: none"> • The local authority representative as chair • Counter Terrorism Policing South West Prevent Officer • Safeguarding representation (as determined by the age of the case) • Mental Health representation if mental health concerns are present (service dependant on age of case) • Minute taker <p>Additional members from agencies relevant to the case are requested which could include education providers, voluntary community groups, probation services or others as appropriate.</p> <p>8.4.4. The panel to develop a support plan for individuals accepted as channel cases.</p> <p>8.4.5. The panel to consider alternative forms of support, including health and social services, where Channel is not appropriate.</p>	<p>Part 3B Para 8</p>

8.4.6. The panel to ensure that the council's functions to safeguard and promote the welfare of children under section 11 of the Children Act 2004 are discharged;

8.4.7. All partners of a panel, so far as appropriate and reasonably practicable, to cooperate with the police and the panel in the carrying out of their functions;

8.4.8. Each case is handled separately; people deemed appropriate to receive support will have a tailored package developed for them, according to their identified vulnerabilities.

8.4.9. Where the panel is unable to make a unanimous decision, the question must be decided by a majority of the panel. Where the panel is unable to make a majority decision, the question must be decided by the Channel Panel Chair. In certain circumstances the Chair may wish to escalate the question internally through the agreed governance route.