

Wiltshire Council

Standards Committee

15 June 2022

Proposed Changes to the Constitution – Part 3B – Channel Panel

Purpose of Report

1. This report asks the Standards Committee to consider recommendations of the Constitution Focus Group in relation to Part 3B of the Constitution, to adopt changes in respect of the Channel Panel.
2. It also 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.

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 the proposed changes.

Relevance to the Council's Business Plan

5. 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

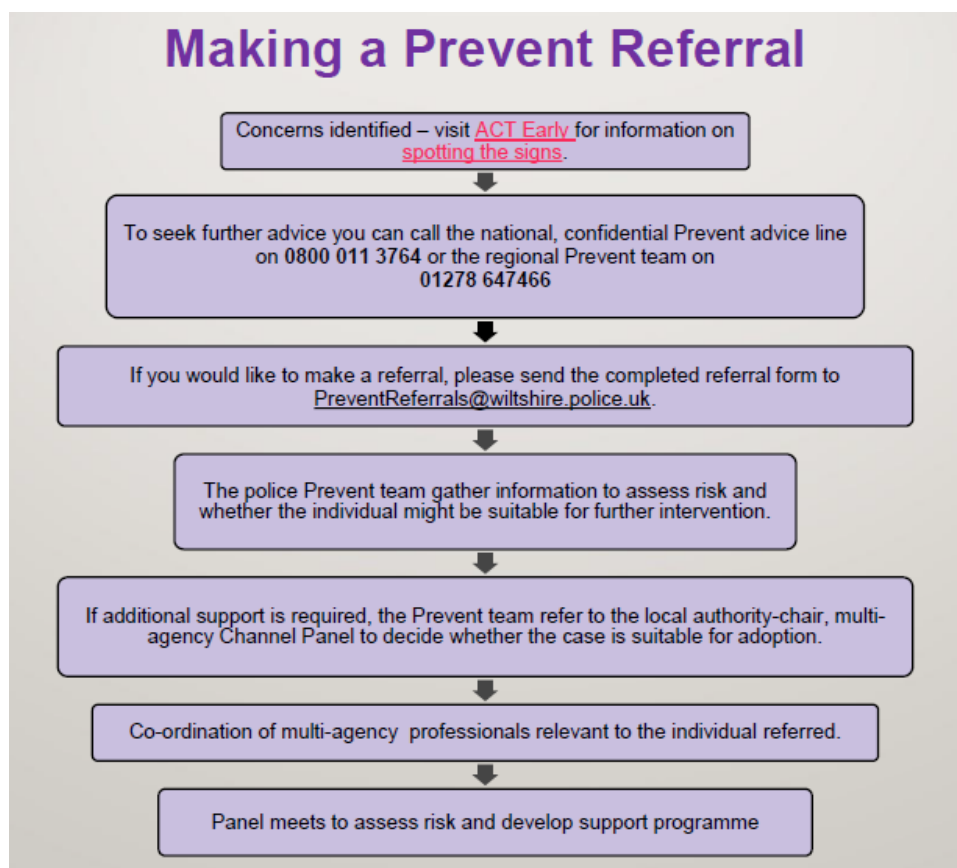
Main Considerations

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.
11. Anyone can refer to Prevent and Channel. The referral pathway is shown below:



12. 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.
13. The Channel programme sits within the Prevent Duty.

Prevent

14. 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.
15. 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.
16. The aim of the Prevent strategy is 'to reduce the threat to the UK from terrorism by stopping people becoming terrorists or supporting terrorism'.
17. 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

18. The Channel programme sits within the same governance as the Wiltshire Prevent Board.
19. 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.
20. 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.
21. The Prevent Board's first strategy (2021 – 2025) was recently approved by both the Wiltshire Community Safety Partnership and Strategic Contest Board.
22. The Wiltshire Channel Panel has monthly meetings to assess any new referrals.
23. Channel is chaired by a Public Health Principal within the local authority.
24. 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.
25. 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.

26. 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.
27. 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.

Constitution Focus Group

28. The Focus Group considered the 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.
29. The Focus Group made a series of changes to the proposed text in order to improve clarity. The changes recommended are set out at Appendix 1.

Overview and Scrutiny Engagement

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

Safeguarding Implications

31. 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

32. 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.
33. 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

34. There are no procurement implications at present.

Equalities Impact of the Proposal

35. 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

36. 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

37. Potential harms to the health and wellbeing of Wiltshire residents if the risk of terrorism were not reduced.
38. Potential economic impacts of terrorism
39. 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

40. 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

41. 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

42. 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.
43. This report has not specified Channel case numbers according to Home Office guidance.

Workforce Implications

44. 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

45. The Counter-Terrorism and Security Act 2015 makes the Channel programme, a key part of the Prevent Duty, a legal requirement.
46. 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.'
47. It is a requirement for Channel to be included in Wiltshire Council's constitution within Part 3: Responsibilities for Functions.
48. 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.

Proposal

49. To recommend Full Council approve the changes to Part 3B as set out at Appendix 1.

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Appendix 1 – Proposed Changes to Part 3 B

Background Papers

[PREVENT - Safeguarding - Wiltshire Council](#)

Appendix 1 – Part 3: Responsibilities for Functions

Addition at Part 3B new Para 8

Local Authority Panels

Channel Panel

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.

8.2 The Channel Panel forms part of the council's Prevent Duty. The Cabinet Member with responsibility for Public Protection attends meetings of the Prevent Board.

8.2 The Channel Panel is required to:

8.2.1 Identify individuals at risk

8.2.2 Assess the nature and extent of that risk;

8.2.3 Develop the most appropriate support plan for the individuals concerned.

8.3 The key requirements of the Channel Panel:

8.3.1. The local authority is the Channel Panel Chair;

8.3.2. Membership of the panel must include the local authority and the police as they have principal responsibility for Channel in their area;

8.3.3. Minimum membership of the panel includes:

- The local authority representative, as chair (Public Health Principal for Vulnerable Communities)
- Public Health Practitioner for Prevent and Safer Communities
- 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 (Public Health)

Additional members from agencies relevant to the case are requested which could include education providers, voluntary community groups, or probation services or others as appropriate.

8.3.4. The panel to develop a support plan for individuals accepted as channel cases.

8.3.5. The panel to consider alternative forms of support, including health and social services, where Channel is not appropriate.

8.3.6. 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;

8.3.7. 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;

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

8.3.9. 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.