

Counter Terrorism and Security Act 2015 – Implications for schools

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The purpose of this paper is to brief schools on the new Counter Terrorism and Security Act 2015 which requires schools and other public bodies to have 'due regard to the need to prevent people being drawn into terrorism'.

RECOMMENDATION: Schools and their governing bodies should review the implications of the Act for their establishments and take appropriate action to meet the requirements of the accompanying statutory guidance.

1. Introduction

The Counter Terrorism and Security Act 2015 (Part 5) places a legal duty on public bodies (including all schools) to 'have due regard to the need to prevent people from being drawn into terrorism'. This duty also applies to a range of other public bodies including: colleges and universities; local authorities; the police; and health and probation services.

The legal duty is backed by statutory guidance which sets out sector specific expectations of public bodies. Compliance with the guidance will be monitored via existing inspectorates, such as OfSTED.

The overall expectation with the Act and statutory guidance is that schools, local authorities and other bodies will take action to 'mainstream' efforts to identify, safeguard and intervene earlier with those at risk of being drawn into support for terrorism. It is anticipated that this will be achieved using existing services and systems rather than via new resources.

2. Background

The national counter terrorism strategy includes a strand called 'Prevent' which aims to stop people becoming terrorists or supporting terrorism in the first place. Prevent covers all forms of terrorism but has not until now been a statutory duty.

The new legislation has been passed to strengthen the response to the on-going threat of terrorism in the UK which is currently rated as 'severe'. This means that a terrorist attack is considered highly likely. Much of the threat is associated with the conflict in Syria and Iraq.

A particular concern is the active recruitment of young people by terrorist groups and the longer term implications for our security. It is estimated that around 600 people from the UK have travelled to Syria / Iraq to fight with and / or support with Islamic State (ISIS) or other groups.

Lambeth has been designated by the Home Office as a priority area for local Prevent action since 2007. This designation is based on police and security service assessments that there is potential for local people to adopt extremist ideologies and to support / facilitate terrorism, as has happened in the past. We have a local Prevent programme in place but meeting the requirements of the new duty requires a significant uprating of this work.

3. Expectations of schools

The statutory guidance that accompanies the Act sets out the government's expectations of schools in meeting the new legal duty. All schools are covered by the guidance but the implementation of the duty varies slightly depending on their status. Broadly, the key expectations are:

- **Assess the risk of pupils being drawn into terrorism and support for extremist ideas:** Schools are expected to make an assessment of the risk of their children being drawn into terrorism, including support for extremist ideas that are part of terrorist ideology. This guidance says that this should be based on an understanding, shared with local partners, of the potential risk in the area. Lambeth will be producing a borough-wide risk assessment that will assist schools in developing their assessments.
- **Ensure robust safeguarding policies are in place:** This builds on existing safeguarding guidance, some of which has recently been updated to reflect the legal duty. Schools will need to demonstrate that they are protecting children and young people from being drawn into terrorism by having robust safeguarding policies in place to identify children at risk and intervene as appropriate. This includes clear protocols for ensuring visiting speakers are suitable and supervised. These arrangements should also take into account the policies of the Local Safeguarding Children Board.
- **Teach a broad and balanced curriculum:** All publically-funded schools in England are already required by law to teach a broad and balanced curriculum which promotes the spiritual, moral, cultural, mental and physical development of pupils and prepares them for life. The guidance restates this position.
- **Promote fundamental British values:** Independent schools, academies and free schools are required to promote fundamental British values (defined in the guidance as democracy, the rule of law, individual liberty, and mutual respect and tolerance for those with different faiths and beliefs).
- **Train staff:** Schools should make sure that staff receive training that gives them the knowledge and confidence to identify children at risk and to challenge extremist ideas. They should know where and how to refer children and young people for further help.
- **Ensure safe internet usage:** Ensure that children are safe from terrorist and extremist material when accessing the internet in school, including by establishing appropriate levels of filtering.
- **Safe spaces:** The guidance highlights the role of schools as safe spaces where children and young people can understand and discuss sensitive topics, including terrorism and extremist ideas and how to challenge these ideas. The guidance says that the legal duty is not intended to limit discussion of these issues but that schools should be mindful of the existing duties to forbid political indoctrination and secure a balanced presentation of political issues.

4. **Support available:**

Support is available from the council's school improvement service and also the Lambeth Prevent programme manager.

5. **Further Sources of Information:**

- Government Counter Terrorism and Security Act text: <http://www.legislation.gov.uk/ukpga/2015/6/contents/enacted>
- Government Prevent legal duty guidance text: <https://www.gov.uk/government/publications/prevent-duty-guidance>
- DfE guidance: Working Together to Safeguard Children: <https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>
- DfE guidance: Keeping Children Safe in Education: <https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>
- DfE guidance: Promoting British values through SMSC: <https://www.gov.uk/government/publications/promoting-fundamental-british-values-through-smsc>
- Lambeth Prevent Programme website: www.lambeth.gov.uk/prevent