



ARTICLE NO: 1D

**CORPORATE & ENVIRONMENTAL
OVERVIEW & SCRUTINY
COMMITTEE**

**MEMBERS UPDATE 2015/16
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Article of: Assistant Director Community Services

Relevant Managing Director: Managing Director (People and Places)

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SUBJECT: THE COUNTER-TERRORISM AND SECURITY ACT 2015

Wards affected: Borough wide

1.0 PURPOSE OF ARTICLE

- 1.1 To provide Members with a report on the key points that impact on local authorities following the introduction of the Counter-Terrorism and Security Act 2015 and what the 'Prevent' duty potentially means for West Lancashire Borough Council.

2.0 BACKGROUND

- 2.1 The Counter-Terrorism and Security Act 2015 received Royal Assent on the 12th February 2015. This was the centrepiece of announcements by the Government to coincide with publication of the report by Parliament's Intelligence and Security Committee.
- 2.2 A key aim of the Act which was driven by the Prime Ministers Task Force on Tackling Radicalisation and Extremism was to make delivery of 'Prevent' a legal requirement in areas of the country where extremism is of most concern.
- 2.3 The Prevent strategy is a key part of CONTEST, the Governments counter-terrorism strategy. The aim of the 'Prevent' strategy (2011) is to reduce the threat to the UK from terrorism by stopping people becoming terrorists or supporting terrorism. In the Act this has simply been expressed as "preventing people from being drawn into terrorism".

The '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; and
- Work with sectors and institutions where there are risks of radicalisation that we need to address.

2.4 The Counter-Terrorism and Security Act 2015 creates:

- A new duty on certain bodies to have due regard to the need to prevent people from being drawn into terrorism. The duty will apply to bodies including local authorities, the police, and prisons, providers of probation services, schools, colleges, and universities.
- A mechanism which allows the Secretary of State to issue guidance to those bodies on how the duty should be fulfilled.
- A mechanism which gives the Secretary of State power to direct a body to take certain action, which would be used to enforce compliance where the Secretary of State is satisfied that the body has failed to discharge the duty. These directions would be enforceable by a court order.

2.5 Part 5, Chapter One of the Act entitled 'Preventing People Being Drawn into Terrorism' outlines the general duty on specified authorities. Of relevance to West Lancashire BorC is that a specified authority can be 'A County Council or district in England'.

2.6 Each local authority must ensure that a panel of persons is in place for its area. However, within Chapter Two under the sub heading 'Interpretation' and relevant to WLBC is a definition that states 'local authority' means: -

- 'A district council in England, other than a council for a district in a county for which there is a county council'.

For West Lancashire Borough Council, this interpretation should essentially mean that the Channel panel (Prevent panel) which is based on a County footprint should fulfil this duty.

2.7 The Act contains a number of other key legislative principles which are covered under various parts of the Act under the headings Temporary Restrictions on Travel, Terrorism Prevention and Investigation Measures and Data Retention. This report deals specifically with Part 5 of the Act entitled 'Risk of Being Drawn into Terrorism', which is of most relevance to local authorities.

3.0 CURRENT LANCASHIRE POSITION

3.1 The Lancashire Chief Executives Group is now the strategic lead for community safety and incorporates within this framework responsibility for CONTEST.

3.2 The duty to have 'An Assessment and Support Panel' is fulfilled by the 'Channel Panel' which is managed by Lancashire Constabulary. Under Section 38 of the Act entitled 'Co-operation', the partners of a panel must, so far as appropriate and reasonably practicable act in co-operation with the panel in the carrying out of its functions.

3.3 Partners of a panel are the persons and bodies specified in the Act and this can be 'A local authority' (other than a local authority that is a member of the panel in question).

My interpretation of this in relation to WLBC is that whilst we may not be required to attend the upper tier panel (Channel Panel), we could be requested to cooperate with the panel in the carrying out of its functions. Local districts / boroughs within Lancashire, that have an identified threat, would sit as permanent members of the panel.

The Prevent duty guidance states that:

- 'In two-tier areas, county and district councils will need to agree proportionate arrangements for sharing the assessment of risk and for agreeing local Prevent action plans'.

3.4 Lancashire Constabulary's Counter Terrorism Branch has confirmed that Lancashire is already compliant with the Act by having in place the Channel panel (Prevent Panel). The Act puts the Channel programme on a statutory footing. The Prevent panel provision in the Act aims to:

- require local authorities to ensure a multi-agency panel exists and chair the panel;
- require the panel to develop a support plan for accepted cases and signpost to other support where cases are not accepted;
- ensure consent is sought prior to support being provided;
- place a duty to cooperate on panel partners;
- require partners to pay due regard to guidance issued by the Secretary of State; and
- allow the Secretary of State to indemnify intervention providers that provide ideological/ theological support for the Channel programme.

3.5 Lancashire Constabulary's Counter Terrorism Branch have confirmed that the provisions in the Act do not require any changes to the Channel programme rather; the legislation is intended to enshrine good practice and ensure consistent delivery.

3.6 The Channel panel is currently chaired by a representative from Blackburn with Darwen and supported by a police co-ordinator.

4.0 WEST LANCASHIRE BOROUGH COUNCIL; LOCAL ISSUES FOR CONSIDERATION

4.1 Listed below are a number of actions that are currently being developed by officers to ensure compliance with the duty placed on local authorities to have due regard to the need to prevent people from being drawn into terrorism.

- Andrew Hill, Environmental Health and Community Safety Manager and Cliff Owens, Community Safety Officer have been confirmed as West Lancashire Borough Council's representatives on the Lancashire Prevent Delivery Manager's Group.
- DSH will assess the risk and develop measures to ensure the Borough Council's publically-owned premises are not used for the expression of extremist views. The 'Prevent' duty guidance highlights that local authorities need to comply with this duty.
- The Community Services Team has scheduled a Project Griffin Counter Terrorist event to be delivered to WLBC front line staff on Monday the 18th May 2015. The Project Griffin exercise covers the 'Protect' strand of the CONTEST strategy.
- The Community Services Team have also arranged in partnership with the Lancashire Constabulary Prevent Team for the delivery of a 'Workshop to Raise Awareness of Prevent' (WRAP) to front line staff on Monday the 18th May 2015. The 'Prevent' duty guidance under section 37, entitled 'Staff Training' states that Local authorities will be expected to ensure frontline staff have a good understanding of Prevent.
- Having reviewed the Act and guidance there are no apparent cost implications for the authority in complying with the Act other than the commitment of staffing resources to comply with the duty of to have due regard to the need to prevent people from being drawn into terrorism.
- The Act does place a duty on a number of Community Safety partners in West Lancashire including Educational Establishments and the Clinical Commissioning Group and the implications will be raised at the West Lancashire CSP meeting on the 29th April 2015.
- The Lancashire Constabulary Prevent Team has delivered WRAP Training to a number of Educational Establishments in West Lancashire, including Edge Hill University safeguarding leads.

5.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

5.1 Compliance can assist with reducing the fear of crime and assist people to feel safe.

5.2 By ensuring that front line staff receive 'Prevent' training and ensuring that publicly owned venues and resources are not used to disseminate extremist views, WLBC will demonstrate compliance with the duty. Based on current analysis, there would be very little impact on this Authority following the introduction of the Act.

6.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 6.1 Prevent training is available at no cost from the Lancashire Constabulary Prevent Team and there are no significant financial or resource implications arising from this report.

7.0 RISK ASSESSMENT

- 7.1 By understanding the duty to the Council from the introduction of the Counter-Terrorism and Security Act 2015 and ensuring compliance with key principles relevant to local authorities, we will have reduced the risk of people from West Lancashire of being drawn into terrorism and fulfilled a statutory duty.

Background Documents

The following background documents (as defined in Section 100D (5) of the Local Government Act 1972) have been relied on to a material extent in preparing this Report.

<u>Date</u>	<u>Document</u>	<u>File Ref</u>
December 2014	Prevent Duty Guidance	Available on request
February 2015	Counter –Terrorism and Security Act	

Equality Impact Assessment

There is a direct impact on members of the public, employees, elected members and stakeholders. Therefore an Equality Impact Assessment is required. A formal equality impact assessment is attached as an Appendix to this report, the results of which have been taken into account in the Recommendations contained within this report.

Appendices

1. Equality Impact Assessment