

Prevent – referrals and channel process

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Introduction

The South Gloucestershire *Prevent* Board co-ordinates work in South Gloucestershire in support of the national *Prevent* strategy aimed at stopping people becoming or supporting terrorists or violent extremists. A specific part of its role is to prevent people from being drawn into terrorism and ensure that those at risk of this are given appropriate advice and support.

The group responds to all forms of violent extremism, while recognising that it is considered by Government that the greatest threat to the UK as a whole is terrorism associated with the so called Islamic State and other forms of Far Right extremism for e.g. PEGIDA (Patriotic Europeans Against the Islamisation of the West), and that therefore this is a current priority.

In order to ensure we can support individuals and communities which may be particularly vulnerable to being radicalised by violent extremists; and increase confidence across our local communities to report unacceptable or suspect behaviours, it is important to have in place a clear and transparent process which defines:

- How individuals can report concerns and;
- The actions that will be taken if concerns are reported.

This document describes that process.

Introduction to the Referral Process

The referral process if you are concerned an individual is at risk of becoming a terrorist or violent extremist is summarised in the flowchart at Appendix 1.

Anyone can make a referral, referrals come from a wide range of partners including education, health, and youth offending teams, police and social services.

Referrals can be made either direct by a member of the public or a practitioner; or can be co-ordinated by a lead officer within larger organisations. Some organisations may have a separate *Prevent* lead, although for many organisations the main *Prevent* contact will be the organisational safeguarding lead.

All referrals made will be assessed by the Police *Prevent* team. This may involve seeking wider information on the individual or incident of concern.

As a result of this assessment a decision may be made;

- that no action needs to be taken
- that the individual poses a genuine and immediate risk, in which case immediate action will be taken
- that the individual is at risk of harm, but not of becoming a terrorist or violent extremist, in which case they may be referred for consideration under Safeguarding arrangements.
- is radicalised and at risk of becoming a terrorist or violent extremist, in which case they may be referred for consideration under the Channel process.

Identifying Vulnerable Individuals or Groups

There is no single list of factors which would definitively identify an individual or group at risk of becoming committed to violent extremism, or becoming a terrorist. There are some characteristics and experiences which **may** indicate this, but these should be considered with great care on an individual basis before any conclusions can be drawn.

Expressed opinions

These may include support for violence and terrorism, the leadership of terrorist organisations and uncompromising rejection of the principle of the rule of law and of the authority of any elected Government in this country.

Materials

The following may be relevant:

- possession of violent extremist literature and imagery in hard copy or digital form (e.g. so called 'beheading videos' or amateur film of terrorist attacks)
- attempts to access, become a member of, or contribute to violent extremist websites and associated password protected chat rooms
- possession of material regarding weapons and/or explosives
- possession of literature regarding military training, skills and techniques

Online communities are important in the radicalisation process and enable ready access to radicalising material which may not be available in the offline world. Digital content can be made very attractive and persuasive and can be quickly and widely shared between young people.

Behaviour and behavioural changes

Relevant changes may include: withdrawal from family, peers, social events and venues; hostility towards former associates and family; association with proscribed organisations; and association with organisations which hold extremist views that stop short of advocating violence in this country.

Personal history

The following may be relevant:

- claims or evidence of involvement in organisations espousing violent extremist ideology in this country or overseas
- claims or evidence of attendance at military/terrorist training in the UK or overseas
- claims or evidence of involvement in combat/violent activity, particularly on behalf of violent extremist non-state organisations

Low level criminality, including some violence, is also commonly seen in case histories of convicted terrorists.

Referral Process

The referral process is illustrated in the flow chart at Appendix 1.

Initial concerns may be explored first with the *Prevent* lead within larger organisations .

Referrals should be sent to the Police using the pro-forma attached as Appendix 2. This should be completed with as much information as you have available and emailed to ChannelSW@avonandsomerset.pnn.police.uk

All referrals to the Police will initially be checked against other information to see if the individual referred is considered to pose a risk which would require immediate action. If this is not the case a decision will be made as to which of the following routes to follow.

- that no action needs to be taken
- that the individual is at risk of harm, but not of becoming a terrorist or violent extremist, in which case they may be referred for consideration under Safeguarding arrangements.
- is radicalised and at risk of becoming a terrorist or violent extremist, in which case they may be referred for consideration under the Channel process.

Channel

Channel is an early intervention multi-agency process designed to safeguard vulnerable people from being drawn into violent extremist or terrorist behaviour. Channel works in a similar way to existing safeguarding partnerships aimed at protecting vulnerable people. Channel is designed to work with individuals of any age who are at risk of being exploited by extremists or terrorist ideologues. The process is shaped around the circumstances of each person and can provide support for any form of radicalisation or personal vulnerabilities.

The Channel Panel meets monthly (usually on the 4th Friday of each month).

Standing members of the Channel Panel are:

- Head of Safe and Strong Communities, South Gloucestershire Council;
- Strategic Safeguarding Service Manager South Gloucestershire Council;
- Avon and Somerset Police representative
- Social Care Provider representative

Other membership of the Panel will depend on the individuals being considered, but would regularly include

- Single Point of Contact making referral.
- Identified individual service providers
- Agencies already working with vulnerable individuals
- Health service providers co-ordinated through the NHS Bristol North Somerset and South Gloucestershire Clinical Commissioning Group

In the event of cases proposed for management by the Channel Panel the Panel will review available data and decide whether progression to the full Channel Panel is appropriate.

A referral will not progress to the full Channel Panel if:

- it is malicious or misguided
- it is clear the person is not vulnerable to violent extremism.

Individuals can only be dealt with through the Channel process if they have agreed to participate in this process. If the individual is under 18 their guardian's permission is also required.

The Channel Panel considers each individual case and will develop a bespoke support package based on the risk assessment, the needs of the individual and any risks posed to potential support providers. This is clearly laid out in the form of an Action Plan which highlights identified behaviours and risks that need to be addressed. This assists in case reviews and evaluating the effectiveness of the support package.

The Channel Panel reviews all available information in light of:

- The risk the individual faces of being drawn in to violent extremism
- The risk the individual poses to society.

And concludes whether the subject of the referral:

- is vulnerable to violent extremism and should be supported using the Channel process;
- is not believed to be at risk of being drawn into violent extremism but is vulnerable and should be referred to other support mechanisms such as Safeguarding;

Or

- Should exit the process.

If it is decided to proceed through the Channel Panel engagement with the individual will need to be sought at an early stage in order for any intervention to be successful.

If individuals are involved in a different statutory support mechanism, such as Multi Agency Public Protection Arrangements (MAPPA) or child protection arrangements Channel would not normally replace those referral systems. In such cases, ownership of the case will rest with the relevant statutory support mechanism.

The Channel Panel monitors Action Plan delivery on a regular basis. A formal review is held after 6 and 12 months to reconsider the risks posed by all referrals considered by the Channel Panel.

- If the Channel Panel is satisfied that the risk has been successfully reduced or managed they should recommend that the case exit the process. A closing report will be completed as soon as possible setting out the evidence for the panel's decision.
- If the Channel Panel is not satisfied that the risk has been reduced or managed, the case will be reconsidered. A new action plan will be developed and alternative support put in place.

Progress reports on Channel cases are presented to the *Prevent* Board at each meeting.

Support Packages

Providers of support for individuals/groups deemed as at risk of becoming violent extremists or terrorists can include statutory and community partners. The Channel Panel will determine how to connect the referred individual with the support provider.

The level of information shared with and about the individual to enable effective assessment and, if appropriate, delivery of any support package will be determined on a case by case basis. All decision making will be clearly documented and in line with the guidance on the sharing of information (see Appendix 3).

The type of activities included in a support package will depend on risk, vulnerability and local resources. To illustrate, a diversionary activity may be sufficient for someone who is in the early stages of radicalisation to violence, whereas a more focussed and structured one-on-one mentoring programme may be required for those who are already radicalised.

Appropriate support programmes include:

- **counselling:** providing advice and support in dealing with a range of personal issues that could create vulnerability, though it may not always be the best option, particularly in light of any emerging mental health issues
- **faith guidance:** helping an individual to develop their knowledge of religion, to better challenge the claims of some violent extremist ideologies
- **civic engagement:** exploring political engagement, civil challenge, human rights, social justice and citizenship
- **working with support networks:** engaging family and peers to provide help for the person concerned; and
- **Mainstream services:** education, employment, health and housing.

Those providing support to vulnerable people need to be credible to the referred individuals and to understand the local community. They have an important role and their reliability, trustworthiness and commitment to the shared values which underpin the *Prevent* Board's approach need to be established. The Channel Panel will make necessary checks to be assured of the suitability of support providers, including Criminal Records Bureau checks for those seeking to work with young people and vulnerable adults.

Specialist Intervention Providers are accessed via a list of pre-approved individual maintained by the Home Office.

Sharing of Information

Channel Panel members will share personal information with each other, for the purposes of *Prevent*, subject to a case by case assessment of necessity, proportionality and lawfulness. See Appendix 3 for the basis of this agreement.

Appendix 1

Referral process for vulnerable individuals – Prevent



Avon & Somerset Constabulary Channel (Prevent) Referral Form

Safeguarding individuals in vulnerable situations from violent extremism

Please fill in as much information as possible. Simply click in the grey box and type the details required. Once completed, email the form to channelsw@avonandsomerset.pnn.police.uk

Channel is a multi-agency approach, currently lead by the Police, which aims as part of the Prevent duty, to support individuals where there is a potential risk of radicalisation and violent extremism. Violent extremism may be related to any religion, faith, political group, or environmental issues. There is no single route into extremism, nor is there a simple profile of those that may become extremists. Factors that may indicate vulnerability to extremism may include (but not limited to):

- Possession of literature regarding military training, skills and techniques
- Possession of violent extremist literature
- The expression of extremist views advocating violent actions and means
- Association with known extremists, seeking to recruit others to an extremist ideology or claims of involvement with organisations espousing extreme violence
- Exposure to an ideology that appears to sanction, legitimize or require violence
- A range of perceived grievances, real and some imagined, to which there seems to be no credible and effective non-violent response.

It must not be assumed that these characteristics and experiences will necessarily lead to individuals becoming violent extremists, or that these indicators are the only source of information required to make an appropriate assessment about vulnerability.

The Channel process is designed to develop an appropriate support package bringing together agencies to safeguard those at risk of being drawn into violent extremism, based on an assessment of their vulnerability.

Appendix 2 -

The information you provide on this form will be held on police systems and will be used to determine if further enquiries, investigations and interventions are required. Please provide as much relevant information as possible. Where possible, any suspicion or opinion should be supported by reference to other facts or sources.

Should you be disclosing personal details from your information systems you may wish to consider obtaining the consent of the individual concerned, though we appreciate this isn't always possible or desirable. **Information that you provide may be shared with other partners and organisations.** You may wish to consult your Data Protection Officer/Safeguarding Lead for further advice.

1. Details of person being referred to Prevent	
Name of person being referred:	
Date of birth: (if not known—approx age)	
Address:	
Phone number(s):	
Details of family members, associates, and friends that may be linked to this activity: (Name/date of birth/ address/phone numbers)	
Other agencies involved with referral: (include names and contact details)	
School/college attended, place of work, occupation etc:	
Have you obtained consent to share their personal data:	

Appendix 2 -

(If no, why do you not consider it appropriate)	
2. Reasons for referral	
Please give as much detail as possible of why you consider this person to be at risk or vulnerable to radicalisation/violent extremism. This should include any opinions and where appropriate, facts or evidence supporting these opinions.	
2b. Summary of Concerns. Engagement, Intent and Capability – Please state:	
<p><u>Engagement</u> Does the information at present suggest that this individual has a partial or strong engagement with a group, cause or ideology that justifies the use of violence and other illegal conduct in pursuit of its objectives?</p> <p>YES <input type="checkbox"/> / NO <input type="checkbox"/> (tick as applicable) If yes, give details:</p> <p><u>Intent</u> Does the information at present suggest that this individual has a partial or strong intention to use violence or other illegal means to further the aims of an extremist group, cause or ideology?</p> <p>YES <input type="checkbox"/> / NO <input type="checkbox"/> (tick as applicable) If yes, give details:</p> <p><u>Capability</u> Does the information at present suggest that this individual has a partial or strong capability, by virtue of his/her own knowledge or skills, by the individual's access to resources or by virtue of previous criminal experience, of contributing directly or indirectly to an act of terrorism?</p> <p>YES <input type="checkbox"/> / NO <input type="checkbox"/> (tick as applicable) If yes, give details:</p>	

Appendix 2 -

3. Details of person / organisation making the referral:	
Name:	
Organisation:	
Contact number(s):	
Email address:	
Does your organisation have a Prevent/Safeguarding lead:	YES <input type="checkbox"/> / NO <input type="checkbox"/> (tick as applicable) If yes, include name and contact details:
Have you discussed this referral with your Prevent/Safeguarding Lead:	YES <input type="checkbox"/> / NO <input type="checkbox"/> (tick as applicable) If yes, include date:
Actions taken prior to referral (with dates) to clarify/ address concerns:	
Date of referral:	

Thank you for completing the Prevent referral form. Please email the form to channelsw@avonandsomerset.pnn.police.uk

Appendix 3 - Information Sharing

Principles of information sharing

Effective information sharing is key to the delivery of *Prevent*, so that partners are able to take appropriately informed action. This will sometimes require the sharing of personal information between partners; this is particularly the case where sharing of information will be central to providing the best support to vulnerable individuals.

Key principle

Partners may consider sharing personal information with each other for Prevent purposes, subject to a case by case basis assessment which considers whether the informed consent of the individual can be obtained and the proposed sharing being necessary, proportionate and lawful.

Any sharing of personal or sensitive personal data should be considered carefully, particularly where the consent of the individual is not to be obtained.

The legal framework within which public sector data sharing takes place is often complex, although there is a significant amount of guidance already available. It is considered good practice to have an Information Sharing Agreement in place at local level to facilitate the sharing of information. In addition to satisfying the legal and policy requirements (see below), there are some principles which should guide *Prevent* information sharing.

Necessary and proportionate

The overriding principles are necessity and proportionality. It should be confirmed by those holding information that to conduct the work in question it is necessary to share the information they hold. Only the information required to have the desired outcome should be shared, and only to those partners necessary. Key to determining the necessity and proportionality of sharing information will be the professional judgement of the risks to an individual or the public. Consideration should also be given to whether discussion of a case is possible with anonymised information, for example, referring to “the young person” without the need to give the individual’s name, address or any other information which might identify them.

Each case should be judged on its own merits, and the following questions should be considered when sharing information:

- What information you are intending to pass
- To whom you are intending to pass the information
- Why you are intending to pass the information (i.e. with what expected outcome)
- The legal basis on which the information is to be passed.

Consent

The default should be to consider seeking the consent of the individual to share information. There will, of course, be circumstances in which seeking the consent of the individual will not be desirable or possible, because it will prejudice delivery of the intended outcome, and there may be gateways or exemptions which permit sharing to take place without consent. If you cannot seek or obtain consent, or consent is refused, you cannot share personal information without satisfying one of the gateway or exemption conditions.

Compliance with the Data Protection Act and Human Rights Act are significantly simplified by having the subject's consent. The Information Commissioner has indicated that consent should be informed and unambiguous, particularly in the case of sensitive personal information. If consent is sought, the individual should understand how their information will be used, and for what purpose.

Power to share

The sharing of data by public sector bodies requires the existence of a power to do so, in addition to satisfying the requirements of the Data Protection Act, the Human Rights Act and the common law duty of confidentiality. Some statutes confer an express power to share information for a particular purpose (such as section 115 of the Crime and Disorder Act 1998). More often, however, it will be possible to imply a power to share information because it is necessary for the fulfilment of an organisation's statutory functions. The power to share information arises only as a consequence of an organisation having the power to carry out an action which is dependent on the sharing of information.

Having established a power to share information, it should be confirmed that there are no bars to sharing information, either because of a duty of confidentiality or because of the right to privacy enshrined in Article 8 of the European Convention on Human Rights. Finally, it will also be necessary to ensure compliance with the Data Protection Act, either by meeting the processing conditions in Schedules 2 and 3, or by relying on one of the exemptions (such as section 29 for the prevention of crime). Further details of the overarching legislation and some potentially relevant gateways are set out below.

Where non-public bodies (such as community organisations) are involved in delivery of Prevent work, you may need to pass personal and sensitive information to them and your approach to information sharing should be the same – i.e. that it is necessary, proportionate and lawful. In engaging with non-public bodies to the extent of providing personal information, it is good practice to ensure that they are aware of their own responsibilities under the Data Protection Act.

Vetting

Sharing information to prevent violent extremism should not be impeded by issues surrounding vetting. If there is a requirement for the sharing of material above restricted level the need for vetting need not be a barrier. Practitioners should consider ways to share the information which needs to be shared to enable partners to provide the necessary response. Consideration about whether it is appropriate for an individual to be vetted should be decided at a local level and on a case-by-case basis, depending on requirement and necessity.

Legislation and guidance relevant to information sharing

Although not an exhaustive list, the following acts and statutory instruments may be relevant. The original legislation can be found at the Statute Law Database (<http://statutelaw.gov.uk/>).

Data Protection Act (DPA) 1998

The DPA is the principal legislation governing the process (including collection, storage and disclosure) of data relating to individuals. The Act defines personal data (as information by which an individual can be identified (either on its own or with other information)) and sensitive personal data (including information about an individual's health, criminal record, and political or religious views), and the circumstances in and extent to which they can be processed. The Act also details the rights of data subjects.

All of the eight Data Protection Principles (which are listed in Part 1 of Schedule 1 to the Act) must be complied with when sharing personal data but the first data protection principle is particularly relevant.

The first data protection principle states that personal data shall be processed: (1) fairly, (2) lawfully (meaning that there is the power to share and other statutory and common law obligations must be complied with), and (3) only if a condition in Schedule 2 and, if sensitive personal data is involved, Schedule 3 is met. All three of these requirements must be met to comply with the first data protection principle. The DPA cannot render lawful any processing which would otherwise be unlawful. If compliance with the Data Protection Principles is not possible, then one of the exemptions (such as the prevention of crime under section 29 of the Data Protection Act 1998) may apply.

Data Protection (Processing of Sensitive Personal Data) Order 2000

This Statutory Instrument (SI 2000/417) specifies further conditions under which sensitive personal information can be processed, including conditions where the processing must necessarily be carried out without the explicit consent of the data subject. Of particular relevance to Prevent are paragraph 1 (for the purposes of prevention or detection of crime), and paragraph 4 (for the discharge of any function which is designed for the provision of confidential counselling, advice, support or any other service).

The first data principle states that personal data shall be processed fairly and lawfully, meaning that other statutory and common law obligations must be complied with, and that the DPA cannot render lawful any processing which would otherwise be unlawful. Schedules 2 and 3 of the Act provide the conditions necessary to fulfil the requirements of the first principle.

Human Rights Act (HRA) 1998

Article 8 of the European Convention on Human Rights (which is given effect by the HRA) provides that "everyone has the right to respect for his private and family life, his home and his correspondence", and that public authorities shall not interfere with "the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country,

for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others”.

Common law duty of confidentiality

The key principle built up from case law is that information confided should not be used or disclosed further, except as originally understood by the confider, or with their subsequent permission. Case law has established that exceptions can exist “in the public interest”; confidentiality can also be overridden or set aside by legislation.

The Department of Health has produced a code of conduct concerning confidentiality, which is required practice for those working within or under contract to NHS organisations.

Gateways, exemptions and explicit powers

Crime and Disorder Act 1998 Section 115 confers a power to disclose information to a “relevant authority” on any person who would not otherwise have such a power, where the disclosure is necessary or expedient for the purposes of any provision of the Act. The “relevant authority” includes a chief officer of police in England, Wales or Scotland, a police authority, a local authority, a health authority, a social landlord or a probation board in England and Wales. It also includes an individual acting on behalf of the relevant authority. The purposes of the Crime and Disorder Act include, under section 17, a duty for the relevant authorities to do all that they reasonably can to prevent crime and disorder in their area.

Common law powers

Because the range of partners with whom the police deal has grown – including the public, private and voluntary sectors, there may not be either an implied or explicit statutory power to share information in every circumstance. This does not necessarily mean that police cannot share the information, because it is often possible to use the common law. The decision to share using common law will be based on establishing a policing purpose for the activity that the information sharing will support, as well as an assessment of any risk.

The Code of Practice on the Management of Police Information (MoPI) defines policing purposes as: protecting life and property, preserving order, preventing the commission of offences, bringing offenders to justice, and any duty or responsibility of the police arising from common or statute law.

Local Government Act 1972

Section 111 provides for local authorities to have “power to do any thing...which is calculated to facilitate, or is conducive or incidental to, the discharge of any of their functions”.

Local Government Act 2000

Section 2(1) provides that every local authority shall have the power to do anything which they consider is likely to achieve the promotion or improvement of the economic, social or environmental wellbeing of the area.

National Health Service Act 2006 and Health and Social Care Act 2001

Section 251 of the NHSA and Section 60 of the HSCA provides a power for the Secretary of State to make regulations governing the processing of patient information.

Offender Management Act 2007

Section 14 of the OMA enables disclosure of information to or from providers of probation services, by or to Government departments, local authorities, Youth Justice Board, Parole Board, chief officers of police and relevant contractors, where the disclosure is for the probation purposes (as defined in section 1 of the Act) or other purposes connected with the management of offenders.

Existing guidance

Information Sharing – Guidance for Practitioners

www.dcsf.gov.uk/everychildmatters/download/?id=103

Public Sector Data Sharing – Guidance on the Law.

www.dca.gov.uk/foi/sharing/toolkit/lawguide.pdf

Information Commissioners Office Guidance on Interpretation of the DPA

[www.ico.gov.uk/what we cover/data protection/guidance.aspx](http://www.ico.gov.uk/what_we_cover/data_protection/guidance.aspx)

Confidentiality NHS Code of Practice

www.dh.gov.uk/prod_consum_dh/groups/dh_digitalassets/@dh/@en/documents/digitalasset/dh_4069254.pdf

Caldicott Guardian Manual

www.connectingforhealth.nhs.uk/systemsandservices/infogov/caldicott/caldresources/guidance/caldicott_2006.Pdf