



## Training Document on the Prevent Duty

The *Counter-Terrorism and Security Act 2015* imposed a duty on College to have 'due regard to the need to prevent people from being drawn into terrorism' – the *Prevent* duty. The purpose of this briefing document is to provide information on how the College will comply with this legal duty.

### **How the *Prevent* Duty will affect members of St John's College**

The College Governing Body will ensure that it is understood by the College community as a whole that principles of free expression, academic freedom, autonomy, confidentiality, privacy, and equality of rights according to the law, provide the overarching context within which the *Prevent* duty is to be considered. As such, the Governing Body's position is that the *Prevent* strategy should be implemented in a manner that is proportionate and positively secures and protects those rights. The operation of the College's *Prevent* Policy and the *Prevent* duty will be reviewed annually by Governing Body with continuing input from Fellows, academic and non-academic staff and the student body, to ensure that the normal operation of the College and freedoms therein are not affected.

In accordance with the advice from the College of Conference and the Vice-Chancellor, the College has in place a number of publically available Policies and Procedures that will allow it to comply with the *Prevent* Duty (see Annexe for a University position statement on the *Prevent* duty).

There will be a small number of minor effects within College, which can be viewed in detail in the Policies and Procedures section of the College website, and are summarized below for convenience. Advice can be sought at any time through the Senior Dean's Office or via email from [prevent.coordinator@sjc.ox.ac.uk](mailto:prevent.coordinator@sjc.ox.ac.uk).

### **A. Booking of rooms for internal and external events.**

1. **Only** criminal speech will be proscribed and therefore most risk assessments for typical events occurring in College will require minimal assessment.
2. Booking rooms where only speakers and guests internal to the University will be present:
  - a. Academic and non-academic staff will risk assess their own events using a risk assessment template.
  - b. For student room bookings requiring decanal or tutor permission – the Senior Dean's office or individual tutors will risk assess the event using a risk assessment template.
  - c. For rooms requiring no decanal or tutor permission - students members will risk assess their own events using a risk assessment template.
3. Booking rooms where speakers and guests external to the University will be present
  - a. Academic and non-academic staff will risk assess their own events using a risk assessment template.



- b. JCR and MCR Presidents will risk assess their own events taking place in their common rooms using a risk assessment template.
- c. Similar to current practice, students will submit requests to the Senior Dean's Office by email 7 days in advance.

### **B. Identifying individuals at risk of radicalization**

The College is required by the new legislation to provide a procedure to identify individuals at risk of being drawn into terrorism. Action will **only** be proposed in respect of serious terrorist criminal activity, where the College already has certain legal duties. It is anticipated that most 'at risk' individuals, will already have been identified and supported through the College's existing robust welfare provision.

### **C. Internal reporting of individuals at risk of radicalization**

The College is required by the new legislation to provide a procedure for internally reporting individuals deemed to be at risk of being drawn into terrorism. The different routes of reporting are shown below:

- (i) Non-academic staff – Bursary Manager
- (ii) Undergraduate and graduate students, academic staff, College Fellow and academic visitors – Academic Dean

To minimize the risk of inappropriate reporting, the College *Prevent* team will stringently assess any reports internally. Only when the help available through the robust College welfare system is insufficient, will the College *Prevent* team seek advice from the University *Prevent* team. The University *Prevent* team will itself carry out a further assessment to identify help within the University welfare system. The only source of external reporting will be from the University Registrar when all other reasonable means have been exhausted.

### **D. Further Training on the *Prevent* Duty**

Further training on the *Prevent* duty in Universities is freely available through individual online modules from the Learning Foundation <http://www.safecampuscommunities.ac.uk/training>. Short briefings and advice can be sought from the College *Prevent* Coordinator as required, [prevent.coordinator@sjc.ox.ac.uk](mailto:prevent.coordinator@sjc.ox.ac.uk).

*Prevent* training will ensure that practice remains subject to, and does not undermine, the rights of academics, students, staff and visiting speakers under existing law, including the Education (No 2) Act 1986, the Human Rights Act 1998, the Equality Act 2010 and data protection legislation.

### **E. IT Usage**

The University IT Committee carried out a careful review of the effectiveness of filtering and is currently not recommending this on the grounds that it would not be effective and would cause a disproportionate burden. The College takes a similar view.



**ANNEXE – we reproduce here a statement from the Vice Chancellor, Professor Louise Richardson, on the Prevent duty in the University.**

*We are writing to you in response to the concerns expressed across the University by both students and staff about the implications for our community of the new PREVENT duty.*

*The Counter-Terrorism and Security Act 2015 imposed a duty both on the University and colleges individually to have 'due regard to the need to prevent people from being drawn into terrorism' – the PREVENT duty. To comply with this duty we are required to show by August that we have put in place properly considered policies and procedures to address the obligation, and subsequently we will be required to demonstrate that we have acted in a way consistent with them. Non-compliance by the University or a college would be illegal and is not an option. As baldly stated, this sounds draconian: the purpose of this note is to offer some reassurance on the scope of these policies and procedures and the limited extent to which they are likely to have an impact on our University.*

*In addition it is, of course, the case that in the meantime each of us is free to use the political process to try to change this legislation or any parts of it with which we are not in agreement.*

*It is for each body to construct and approve its own processes, but there has been very helpful and detailed guidance, in particular from a group led by the Warden of Wadham (Lord Ken Macdonald QC), which has met with widespread approval and which we will summarise below. In drawing up the guidance, the focus has been on recommending PREVENT policies and actions which are proportionate and risk-based for the particular institution and which are subject to the existing legal rights and protections of academics, students, staff and visiting speakers. Self-evidently, these include the rights to free expression, academic freedom, autonomy, confidentiality, privacy and equal treatment under the law - without which the University and colleges simply cannot function as places of higher learning. Striking this balance in drafting policies is quite challenging, and work will be underway throughout the collegiate University during this term to complete this task - with which we would request your engaged participation.*

*There has been a good deal of anxiety about aspects of the way that the duty will be implemented: that it will lead to observation and reporting on particular groups; that it will restrict access to information on the internet; that lectures and events will be prevented from occurring, and so on. We believe that measured consideration indicates that each of these nightmare outcomes conflict with at least one of the existing rights mentioned above.*

*The Public Sector Equality Duty prevents discriminatory policies, and the only obligation to report is on criminal behaviour, which will already be enshrined in Harassment Policies inter alia. All users of IT systems throughout the University have accepted a code of practice for their use, which already adequately covers most of the issues highlighted in PREVENT. The right of Freedom of Expression means that only criminal speech is proscribed, and provided that speakers and*



*audience observe the relevant College's policies on harassment, and on conducting civil academic discussions at all times, no new measures should be required.*

*Most colleges, moreover, already have processes in place to monitor room bookings for an event, and if one seems likely to cause security concerns, the Head of House could reserve the right to relocate that event to premises where the safety of all participants can be assured.*

*It seems to us, therefore, that if we follow a proportionate and risk-aware evaluation of new policies within a framework of existing rights, it is highly unlikely that it would be necessary to make substantial changes to current policies and practices.*

*Best regards,*

*Professor Louise Richardson FRSE, Vice-Chancellor*

*Professor Paul Madden FRS FRSE, Provost of The Queen's College and Chair of the Conference of Colleges*