PREVENT DUTY POLICY DOCUMENTATION

1  The Prevent Duty

St Anne’s College acknowledges that under Section 26(1) of the Counter-Terrorism and Security Act (2015) it has a duty, when exercising its functions, to have due regard to the need to prevent people from being drawn into terrorism.

In order to discharge this duty this document and a range of other policy and procedural documents have been reviewed by the College PREVENT Working Group and presented for approval by the Governing Body. These documents arise from a risk assessment process which has been reviewed by the Governing Body and are prepared following guidance provided by HM Government, the Higher Education Funding Council (England) (HEFCE) and the Conference of Colleges.

Arising from its risk assessment, the College PREVENT Working Group takes the view that the strength of support arrangements in the College, the character of the College community itself and existing procedures are such as to require only minor adjustments to its policies and procedures to meet the requirements of the PREVENT duty.

2  Principles underpinning the College’s Policy and Procedural Documentation

As an introduction to the College’s policy and procedural documents relating to the PREVENT duty principles the following underlying principles are of paramount importance.

It is to be understood by all Key Individuals, and by the College community as a whole, that principles of free expression, academic freedom, autonomy, confidentiality, privacy, and equality of rights, according to law, provide the overarching context within which the PREVENT duty is to be considered; and that the duty must be implemented in a manner that is proportionate and positively secures and protects those rights. St Anne’s College’s Prevent Policy Statement is at Appendix A.

In approving policy and procedural documentation the Governing Body shall ensure that policies and procedures

- secure and protect free expression and academic freedom, recognising the primacy of these values in institutions of higher education.
- secure and protect the rights of academics, students and staff to hold, articulate and act upon their political, religious and ideological opinions at all times, within the law, and subject only to their contractual agreements and terms of employment.
- respect the rights of academics, students and staff to confidentiality and privacy at all times, in the absence of a risk of serious crime, subject only to their contractual agreements and terms of employment.
- are not discriminatory, and secure and protect the rights of all academics, students and staff to equal treatment under the law, regardless of racial or ethnic origin, or religious belief, and which are in the strictest accordance with the Equality Act 2010 and with the Public Sector Equality Duty
- are proportionate, noting where the risk of individuals being drawn into terrorism is judged to be low, and which remain subject to, and do not undermine, existing rights including under the Education (No 2) Act 1986, the Human Rights Act 1998, the Equality Act 2010 and data protection legislation.
The College will provide training to support the implementation of the PREVENT duty. That 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.

The Key Individuals in College listed below will receive appropriate training, including rights protection training. The Governing Body will receive suitable briefing, including on its overarching responsibility for rights protection.

3 Leadership

The College's policies and procedures relating to the PREVENT duty are based on a risk assessment template which will be kept under review and amended in accordance with further guidance from HEFCE and the University.

The Working Group has involved the JCR and MCR, as requested by OUSU, in the development and annual review of policies and procedures relating to the PREVENT duty.

The Governing Body will commission an annual review (Appendix B) to satisfy itself that the PREVENT duty is being implemented in a manner that does not undermine, and secures and protects, existing rights, including to free expression, academic freedom, autonomy, confidentiality, privacy, and equal treatment under the law.

At the time of each annual review the Governing Body shall receive refresher training on the PREVENT duty.

Compliance with the PREVENT duty to be included in the College’s risk register and reviewed annually by Governing Body when making the annual report to HEFCE.

Key individuals have been nominated by Governing Body with specified responsibilities in respect of policies and procedures related to the PREVENT duty

Principal – Accountable Officer. Strategic responsibility for related PREVENT decisions
Vice Principal – As above in the absence of the Principal
Domestic Bursar - PREVENT lead and arrangements for conferences and summer schools;
Bursary Administrator - administrative support to the PREVENT lead
HR Manager – responsibilities associated with non-academic staff
Senior Tutor – responsibilities associated with academic staff and arrangements for external speakers invited by academic staff; responsibilities associated with administering the Code of Practice on Freedom of Speech
Dean – responsibilities arising from any disciplinary actions relating to PREVENT;
Dean of Welfare – responsibilities for the welfare of students
Assistant Deans – responsibilities for the welfare and discipline of students
IT Manager; responsibilities associated with IT systems use.
4  Data Sharing and Communications

Where there is a risk of serious PREVENT related crime, the College PREVENT Lead will liaise with the University’s security service.

St Anne’s College understands that the University Security Service will operate in a manner that secures and protects the existing rights of academics, students and staff, in the absence of serious PREVENT related crime, to confidentiality and privacy; and, at all times, to equal treatment under the law.

The PREVENT Working Group will review existing data sharing protocols with other colleges and the University, and update as necessary, including in a manner that secures and protects the existing rights of academics, students and staff, including, in the absence of serious crime, to confidentiality and privacy; and, at all times, to equal treatment under the law. These protocols will be appended to this document.

Whilst the College might choose to share information with the University security services on any concerns, the decision on whether to contact law enforcement authorities will remain one for the College to take. Action would only be proposed in respect of serious terrorist criminal activity, where the College already has certain duties.

The Registrar will be the single point of referral by the Collegiate University to ‘Channel’ (Channel is a programme which focuses on providing support at an early stage to people who are identified as being vulnerable to being drawn into terrorism) in order to manage the risk of inappropriate referrals.

5  Student Welfare and Pastoral Care

The key individual with responsibility for student welfare and pastoral care is the Senior Tutor. The Senior Tutor is assisted by the Dean of Welfare and the Disability Coordinator. The student support structures in College range more widely than the decanal team. The Disability Coordinator assists students with disabilities. The student support structures in College range more widely than the decanal team. The Nurse provides health and welfare support. The Academic Office provides monitoring of academic performance which not infrequently involves consideration of health and welfare issues. The Treasury and Domestic Bursar are involved in hardship issues, which again have a relationship with welfare concerns. The Lodge, as the first point of contact in cases of emergency also plays a role in student welfare. All staff should be aware that the internal and external sharing of information (where appropriate) may be required in order to fulfil the College’s obligations under PREVENT. We do not think it proportionate for all staff to be trained. However, all staff will be thoroughly briefed on Prevent and their responsibilities.

Where a member of the College identifies a PREVENT-related concern in relation to a student they shall report this to the Domestic Bursar, as PREVENT lead. The Domestic Bursar will act in a manner that secures and protects the existing rights of students, including, in the absence of serious crime, to confidentiality and privacy; and, at all times, to equal treatment under the law. The Domestic Bursar will refer all concerns relating to Prevent to the Principal

As requested by OUSU, those responsible for student welfare and pastoral care shall be alive to the risk that students may be less likely to use welfare provision because they perceive it to be linked to the PREVENT duty.
6  Staff Welfare

The key individual with responsibility for non-academic staff welfare is the HR Manager.

The key individual with responsibility for academic staff welfare is the Senior Tutor, assisted by the Academic Office and HR Manager.

Where a member of the College staff identifies a PREVENT-related concern in relation to a member of staff they shall report this to the Domestic Bursar, as PREVENT lead. The Domestic Bursar will act in a manner that secures and protects the existing rights of staff, including, in the absence of serious crime, to confidentiality and privacy; and, at all times, to equal treatment under the law. The Domestic Bursar will refer all concerns relating to Prevent to the Principal.

7  Events and Venue Hire

The College regulates event bookings and venue hire under the terms of its Code of Practice on Freedom of Speech. The Code is founded on the central importance of securing the primacy of the right to free expression within the College, and for external speakers, consistent with the Education (No 2) Act 1986 – this relates to events organised by students, staff or external third party hirers of a venue/facilities.

Under the Code of Practice and College Regulations, all external speaker events organised by students have to be approved by the Dean, in consultation with the Domestic Bursar.

Students seeking a venue within the College shall complete and sign a booking contract which, inter alia, shall give details of the speaker, content of meetings and other activities sponsored by the student making the booking.

Academic staff are responsible for risk-assessing their own events and drawing the attention of the Senior Tutor to any event that might give rise to concerns relating to the Code of Practice on Freedom of Speech and the College’s PREVENT duty. Meetings or other activities falling within the academic curriculum are considered to take place within the context of established policies and procedures in operation in the University and St Anne’s College on the content and approach to teaching and learning.

The Conference Office is responsible for risk-assessing activities booked through it and drawing the attention of the Domestic Bursar to any event that might give rise to concerns relating to the Code of Practice on Freedom of Speech and the College’s PREVENT duty. The contract used by the College will seek from those hiring facilities details of the speaker, content of meetings and other activities sponsored by the hirer. The Domestic Bursar will refer all concerns relating to Prevent to the Principal.

The following supplements the College’s Code of Practice on Freedom of Speech:

- Only criminal speech is proscribed
- Speakers and audience alike should be reminded of their responsibilities to observe the relevant College’s policies on harassment and to conduct civil academic discussions at all times.
- If an event seems likely to cause security concerns, the Principal is to be informed and, advised by the Dean, Domestic Bursar or Senior Tutor, reserves the right to take steps to
address such concerns, such as relocating that event to premises to ensure the safety of all participants.

• Where legal and appropriate, St Anne’s College may share details of external speakers with other Colleges and University stakeholders.

8 IT

The use of the College’s IT facilities is governed by the policies and procedures established by the University of Oxford which covers issues highlighted in PREVENT. Further work is being undertaken by the University which will result in amendment to regulations which will signal to users of the University’s IT network facilities that they must not deliberately create, display, produce, store, circulate or transmit material related to terrorism or extremist ideology in any form or medium except where required for legitimate academic purposes.

9 Research

The College’s policy on research ethics governing college-only researchers is that all college-only staff are covered by the University policies on research ethics, which are operated in a manner which secures and protects the existing rights of those researchers, including to equal treatment under the law, and to secure and protect academic freedom.

10 Security

The College has plans relating to physical, personnel and IT security based on those established within the University and as advised by the University security service. Governing Body will approve this policy at its first meeting in Michaelmas Term 2016.

11 Complaints

As requested by OUSU, Complaints about the operation of policies and procedures relating to the PREVENT duty shall be made under Regulation 1.3.

12 Approval

This document, and the risk assessment and action plan which underpin it, is approved by the Governing Body of St Anne’s College and, in accordance with HEFCE Circular Letter 02/2016 paragraph 7, the Principal of St Anne’s College as the institution’s accountable officer.

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Tim Gardam, Principal, St Anne’s College

Date 15 June 2016

Appendix A – PREVENT Policy Statement

Appendix B – PREVENT Annual Review
Appendix A - PREVENT Policy Statement

The *Counter-Terrorism and Security Act 2015* imposes a duty on the College to have ‘due regard to the need to prevent people from being drawn into terrorism’. This is called the ‘PREVENT’ duty.

In recognising its legal obligations toward Her Majesty’s Government’s policy on PREVENT, St Anne’s College, noting where the risk of individuals being drawn into terrorism is judged to be low, has adopted policies that are proportionate and risk-based and which remain subject to, and do not undermine, existing rights including under the Education (No 2) Act 1986, the Human Rights Act 1998, the Equality Act 2010 and data protection legislation.

The Governing Body wishes to ensure that it is understood by all key Individuals, and by the College community as a whole, that principles of free expression, academic freedom, autonomy, confidentiality, privacy, data protection and equality of rights, according to law, provide the overarching context within which the PREVENT duty is considered. The PREVENT duty must be implemented in a manner that is proportionate and positively secures and protects those rights.

This PREVENT policy is implemented in accordance with the appropriate statutory requirements and full account is taken of all available guidance and in particular any other relevant College policies, codes of practice and statements. This policy will be reviewed annually by the Governing Body to satisfy itself that the duty itself, and the principles detailed in paragraph 2 above are implemented appropriately.

GB

15 June 2016
Appendix B – PREVENT Annual Review

Aim: to satisfy Governing Body that

i) The College is compliant in its policies and procedures with its PREVENT duty under the Counter-Terrorism and Security Act 2015, and that in doing so,

ii) PREVENT policies and practice are not undermining, remain subject to, and are operating in a manner to secure and protect existing rights. Existing rights include: free expression, academic freedom, autonomy, confidentiality, privacy, and equal treatment under the law.

Timing: This review, of the previous academic year, should be conducted annually in Michaelmas Term and reported to the Governing Body in its meeting in 8th week of Michaelmas Term each year.

Responsible Officer: Domestic Bursar

Reporting to: Governing Body

Number of complaints raised with College Officers during the academic year 20xx/xx about PREVENT policies undermining, not being subject to, or not operating in a manner securing and protecting existing rights:

If any: nature of complaint:

Description of resolution of the complaint: