

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET

10 MAY 2016

INFORMATION REPORT OF THE CORPORATE DIRECTOR - OPERATIONAL AND PARTNERSHIP SERVICES

WALES EXTREMISM AND COUNTER TERRORISM UNIT (WECTU) AND COUNTER-TERRORISM AND SECURITY ACT 2015

1. Purpose of Report.

- 1.1 The purpose of this report is to advise Cabinet Members of new duties and responsibilities applied to local authorities following the enactment of the Counter-Terrorism and Security Act 2015 (“the Act”) and to ask Cabinet to note the steps being taken to comply with them.

2. Connection to Corporate Improvement Objectives/Other Corporate Priorities

- 2.1 The Strategic Equality Plan (SEP) is a cross cutting, statutory plan that impacts on the whole of the council. Within the SEP are various strategic equality objectives that are linked to fostering good relations and community cohesion. Additionally, the following Corporate Plan Priorities are supported:

- Priority 1. Supporting a successful economy
- Priority 2. Helping people to be more self-reliant
- Priority 3. Smarter use of resources

3. Background.

- 3.1 On 14 January 2016 Cabinet Committee – Equalities received a report from the Corporate Director – Resources on the South Wales Police Wales Extremism and Counter Terrorism Unit (WECTU), informing Committee of the current threat level existing across the United Kingdom which stands at ‘Severe’ whilst providing local context .
- 3.2 As summarised in that report, WECTU was established in 2006 and created one Special Branch for the whole of Wales. Its remit covers international terrorism and domestic extremism and it is governed by the Government’s Counter Terrorism Strategy known as CONTEST. WECTU has officers who represent it on the Western Bay CONTEST Board (as detailed at para 3.3 below). At a local level a prevent officer from WECTU has established working links with the Chair of the Channel panel (as detailed at para 3.4 below).
- 3.3 The Western-Bay Regional CONTEST Board was established in 2013 and is currently chaired (for 1 year) by an officer from Neath Port Talbot Council. The agenda covers key elements of the strategy namely, Prepare; Protect; Prevent; Counter Terrorism Local Profiles (CTLP’s) and updates from ‘Channel’ panel chairs.

3.4 Channel is a multi-agency safeguarding programme run in every local authority area in Wales and England. It works to support vulnerable people from being drawn into terrorism and provides a range of support such as mentoring, counselling, assistance with employment, etc. Channel is about early interventions to protect vulnerable people from being drawn into committing terrorist-related activity and addresses all types of extremism. A local Channel Panel was established in Bridgend in 2013, The Terms of Reference are attached at Appendix A. The Panel is chaired by BCBC's Principle Community Safety Officer and currently meets quarterly. The Channel Chair attends the Western-Bay CONTEST Board meetings to represent Channel. Below is the current list of agencies and BCBC staff represented on the Channel Panel:

- **BCBC** Principal Community Safety Officer (Chair);
- **BCBC** Children and Adult and Safeguarding Services;
- Youth Offender Service Officers;
- Community Safety Partnership;
- **BCBC** Community Mental Health Team;
- South Wales Police – Central BCU (West);
- South Wales Police Mental Health Liaison Officer;
- Health Bridgend Locality ABMU;
- National Probation Service;
- Community Rehabilitation Company (CRC);
- Bridgend College; and
- Wales Extremist Counter Terrorist Unit (WECTU).

There are further Channel Panels across the region covering Swansea and Neath Port Talbot. Recently the UK Government has enacted the Counter-Terrorism and Security Act 2015 ("the Act") to make certain provisions related to terrorism. Although Chanel Panels were in existence prior to the Act, under s.36 of the Act as set out in para 4.5 below, Channel was placed on a statutory footing and the functions and membership of the Panel confirmed.

3.5 Through working collaboratively with Welsh Government officers; Western-Bay Regional CONTEST Board; and members local Prevent and Emergency Planning, WECTU aims to work more effectively in its response to the threat from national and international terrorism and extremism. It seeks to keep the people of Wales safer by building confidence and trust in our communities by working with the public and partners to identify, target and disrupt terrorists and extremists.

3.6 The Council has a legal duty under Section 17 of the Crime and Disorder Act 1998 to carry out all its various functions with due regard to the need to prevent Crime and Disorder in its area. The new duties under the Counter-Terrorism and Security Act 2015 ("the Act") complement the existing duty.

4.0 Current situation / proposal.

4.1 The Act has a staggered implementation date from the 12th February 2015 onwards. The Act is made up of 7 parts, with Part 5 being of particular relevance to BCBC. Part 5 is made up of two Chapters: the first deals with Preventing People Being Drawn into Terrorism and the second with Supporting People Vulnerable to Being Drawn into Terrorism. BCBC must have in place methods to comply with the new statutory duties. Since the implementation of the Act compliance by Bridgend County Borough Council has been achieved by establishing its Channel Panel and

representation on the Western-Bay Contest Board and is further outlined below.

- 4.2 Firstly, with regards Chapter One, a new duty came into force on 1st July 2015 under s.26 of the Act for Local Authorities specified in Schedule 6 of the Act to have due regard to the need to prevent people from being drawn into terrorism in the exercise of their functions (“the s.26 Duty”). This means that Local Authorities, including Bridgend County Borough Council, must place an appropriate weight on the need to prevent people from being drawn into terrorism when they consider all the other factors relevant to how they carry out their usual functions. The s.26 Duty does not confer new functions on any specified authority.
- 4.3 Section 29 of the Act provides a power to the Home Secretary to issue statutory guidance to local authorities as to how the s.26 Duty should be carried out. Current statutory guidance is set out in “Revised Prevent Duty Guidance: for England and Wales” (“the Statutory Guidance”) originally issued on 12th March 2015 and revised on 16th July 2015. In complying with the s.26 Duty all specified authorities should demonstrate an awareness and understanding of the risk of radicalisation in their S area. There are three themes through the Statutory Guidance: effective leadership; working in partnership and appropriate capabilities. Part E of the statutory guidance deals with specific guidance to Local Authorities. It deals with:
- Partnership
 - Risk Assessment
 - Action plan
 - Staff training
 - Use of Local Authority resources
 - Collaboration between areas
 - Prevent priority areas
 - Other agencies and organisations
 - Out of school settings supporting children
- 4.4 There is specific statutory guidance for schools and child care providers to assess the risk of children being drawn into terrorism and this is found in “Prevent Duty Guidance: for further education institutions in England and Wales”.
- 4.5 If a Local Authority fails to discharge the s.26 Duty s.30 sets out the ability of the Secretary of State to give directions which can then be enforced by a mandatory order. Other legislation provides other enforcement powers available to the Secretary of State and Welsh Minister, such as the Local Government Act 1999 and the Local Government (Wales) Measure 2009.
- 4.6 Dealing with Chapter Two, s.36 of the Act makes provision for a Local Authority to protect vulnerable people from being drawn into terrorism. The Act:
- requires each local authority to establish and chair a local multi-agency Panel for this purpose;
 - details out when the police may refer people considered vulnerable to the Panel;
 - sets out the functions of the Panel to include the carrying out an assessment of risk and to establish appropriate plans to support people identified as being

vulnerable to being drawn into terrorism and then to keep those plans under review;

- prescribes the core membership of the Panel to be the police and the Local Authority and confirms the chairing of the Panel to be the relevant Local Authority's responsibility; and
- requires that the partners of a Panel must, so far as is appropriate, and reasonably practical, act in co-operation with the Panel.

4.7 Section 37 of the Act provides a power to local authorities to determine procedures for conducting the business of the Panel.

4.8 The proposals for Bridgend County Borough Council ("BCBC") to comply with the new statutory duties are as set out below which Cabinet Members are now asked to endorse:

4.9. In order to comply with the s.26 Duty a few separate steps are being taken:

- A Home Office one-off ring fenced grant of £10,000 has been allocated to BCBC specifically to deliver prevent training and awareness of the new duties across the Authority's workforce, including wider agencies contracted to the authority. In accordance with the conditions of the grant, the money is being used to:
 - a. support a rolling interactive programme of prevent awareness training for frontline staff which will continue into 2016 providing an improved understanding of the process so that all staff can make a prevent referral.
 - b. purchase new IT equipment to increase capacity for training as described above, which is being coordinated by the authorities' principle training officer.
 - c. publish improved Restorative Justice and mediation information folders and leaflets for the Restorative Approaches by the Education Lead officer with the Youth Offender Service in schools and communities and by BCBC's Community Safety and Welfare officer for mediation purposes working with agencies such as the police to increase awareness of the new law
- Commencing in 2014 when it was agreed to form a regional Contest Board, officers of Bridgend County Borough Council have been working with officers from the City and County of Swansea and Neath Port Talbot County Borough Councils to develop a Gap Guidance to set out compliance with the s.26 Duty and the Statutory Guidance through the Western Bay Regional CONTEST Board and Adult and Children Safeguarding Board. Members agreed to develop a gap analysis template for use across Swansea, Neath Port Talbot and Bridgend to monitor how each area is progressing.

- 4.10 In order to comply with s.36 a few separate steps are being taken, including:
- Establishing a Channel Panel in Bridgend which meets quarterly with the ability to meet at short notice on the authority of the chair and ensuring that:
 - All panel meetings are recorded;
 - All members are required to sign a confidentiality statement before each meeting; and
 - All panel members have undertaken Home office approved Wrap prevent training course.
 - Setting up secure emails for relevant employees to allow for sharing confidential information
- 4.11 In order to comply generally with the spirit of the Act, BCBC's Corporate Director Communities and Principle Community Safety Officer attends the Western Bay Contest Board meetings where officers from WECTU provide national and local threat and risk context through the Counter Terrorism and Local Profile (CTLP's). BCBC' Community Safety Officer has established working links with WECTU's prevent officer regarding local Channel referrals.

5. Effect upon Policy Framework & Procedure Rules.

- 5.1 The report has no direct effect upon the policy framework or procedure rules but is required to effectively implement the Council's statutory duties in relation to equalities and human rights.

6. Equality Impact Assessment

- 6.1 A full Equality Impact Assessment has not been undertaken as there are no implications in relation to age; disability; gender and transgender; race; religion or belief and non-belief; sexual orientation on this matter..

7. Financial Implications.

- 7.1 The financial implications of the new duties & powers to BCBC (such as staff training and IT infrastructure) will be fully met from the Home Office grant award outlined in paragraph 4.9.

8. Recommendation.

- 8.1 That Cabinet receives and considers this report, and
- 8.1.1 Note the steps being taken to comply with the s.26 Duty and associated statutory guidance issued by the Home Secretary; and
- 8.1.2 Note the local Channel Panel arrangements to secure compliance by the Local Authority with s.36 of the Counter-Terrorism and Security Act 2015 and associated statutory guidance issued by the Home Secretary.

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'Background Documents: None'

Appendices: Appendix A: Bridgend Community Safety Partnership, Prevent Channel Panel Terms of Reference, 2016-17