

<p>Non-Executive Report of the:</p> <p><b>Overview and Scrutiny Committee</b></p> <p>28<sup>th</sup> September 2016</p>	 <p><b>TOWER HAMLETS</b></p>
<p><b>Report of: Melanie Clay, Director of Law, Probity and Governance</b></p>	<p><b>Classification:</b> Unrestricted</p>
<p><b>Delivering the Prevent Duty: Promoting Safeguarding in Tower Hamlets Scrutiny Review Report</b></p>	

<p><b>Originating Officer(s)</b></p>	<p>Kevin Kewin, Interim Service Head Corporate Strategy and Equality</p> <p>Gulam Hussain, Senior Strategy, Policy &amp; Performance Officer, Corporate Strategy &amp; Equality</p>
<p><b>Wards affected</b></p>	<p>All Wards</p>

### Summary

- 1.1 This report submits the report and recommendations of the scrutiny review on delivering the prevent duty: promoting safeguarding in Tower Hamlets.

### Recommendations:

- 2.1 The Overview and Scrutiny Committee is recommended to:
- Agree the draft report and the recommendations.
  - Authorise the Interim Service Head Corporate Strategy & Equality to amend the draft report before submission to Cabinet, after consultation with the Chair of the Overview and Scrutiny Committee.

### **3. BACKGROUND**

- 3.1 Tower Hamlets has one of the fastest growing populations in London and is expected to be one of the fastest growing local authorities in England over the next ten years. The borough is home to an ethnically diverse population and based on the 2015 mid-year population estimates from the Office for National Statistics has a high proportion of young people with 48% aged 20-39. Figures from the 2011 Census showed only 31% of residents identified themselves as 'White British' and Islam reported as the largest faith within the borough. Although the borough has seen significant growth the 2015 Indices of Deprivation suggest that despite some improvements, the borough continues to be within the top 10 most deprived areas in England.<sup>1</sup>
- 3.2 The 2015/16 Annual Residents Survey showed that views about cohesion in the borough remain positive, with 87% of residents surveyed agreeing that the local area is a place where people from different backgrounds get on well together.
- 3.3 The Home Office has designated Tower Hamlets as a Tier 1 borough, representing the highest perceived risks of extremism. To ensure all Tier 1 boroughs are adequately supported, the Home Office provides additional funding to challenge extremist narratives and support communities to develop resilience through funded projects as well to support staffing arrangements.
- 3.4 In addition radical Islamist groups and far right organisations, such as the English Defence League (EDL) and Britain First, have held protests in the borough to cause disruption and undermine cohesion in the borough. During the current year Britain First has organised a number of unannounced visits to the borough to demonstrate outside landmarks such as the East London Mosque and actively incite negative reactions for promotional purposes. Their attempts to cause disruption in the borough have been managed through the positive partnership working led through the council, police, Tower Hamlets Interfaith Forum and the East London Mosque; however the inability to predict future visits presents an ongoing challenge.
- 3.5 The youthful composition of the borough, coupled with the increasingly sophisticated deployment of the web and social media by organisations such as Daesh<sup>2</sup>, has presented new challenges for the borough. In February 2015, the borough drew national attention when three students from the Bethnal Green Academy fled the country to travel to Syria. The event which shook communities in the borough was swiftly surrounded by a flurry of information revealing that a student from the same school had previously travelled to Syria in 2014. A further five teenage girls had travel bans imposed by the courts in March 2015 at the request of the council in response to this event.

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<sup>1</sup> Based on the Index of Multiple Deprivation (IMD) Rank measure, *Indices of Deprivation*, Department for Communities, Localities and Government, September 2015

<sup>2</sup> In December 2015, the UK Government committed to referring to the organisation also known as ISIL, Islamic State, or ISIS as Daesh. The term, an abbreviation of the formal name in Arabic of the 'Islamic State in Iraq and Shaam (Syria)', is also a play on words in that language and is considered offensive by members of the organisation.

- 3.6 The events in the borough coincided with national developments -the enacting of the Counter-Terrorism and Security Act 2015. The Act places a Duty on local authorities and other responsible authorities (including schools) to have 'due regard to the need to prevent people from being drawn into terrorism. The Act has been met with vocal opposition from the education sector with organisations such as the National Union of Teachers (NUT) and the National Union of Students (NUS) criticising the implications for freedom of speech and the impact on cohesion. Opposition groups have expressed concerns over the impact on young people, in particular the risk for disproportionately targeting Muslim youth and the implications for free speech. These concerns have been exacerbated by a range of stories covered in the media suggesting that guidance around the Duty is inadequate and the impact on young people is harmful.
- 3.7 Recognising the national and local context, the aim of the review was to explore the approach taken by the council to deliver the Prevent Duty and influence its delivery by other responsible authorities and its impact on young people. The review was underpinned by three core questions:
- a) How does our approach to delivering the Prevent Duty impact on young people?
  - b) Does our approach appropriately reflect the priorities in Tower Hamlets?
  - c) What have been the challenges in meeting our obligations under the Duty?
- 3.8 The review was chaired by Cllr John Pierce, Chair of the Overview and Scrutiny Committee over the course of six sessions throughout March and April 2016. The sessions were held across a number of sites including the Town Hall, Morpeth Secondary School and Birmingham City Council.
- 3.9 The report with recommendations is attached as Appendix 1. There are 13 recommendations arising from the review which is outlined below:

### **Safeguarding Young People**

#### **Recommendation 1:**

The Community Safety Service should continue to work in partnership with the voluntary and community sector to expand their work on promoting a better understanding of safeguarding risks presented by online and social media, and how to stay safe online, through the use of digital champions embedded across the voluntary and community sector.

#### **Recommendation 2:**

The council should consider imposing requirements on MSG and other grant funded and commissioned organisations working with young people to obtain relevant safeguarding training.

#### **Recommendation 3:**

The Youth Service should;

- Build on their current work to develop a curriculum to provide a structured programme of development for young people;

- Explore ways to support young people at risk of isolation;
- Develop, in partnership with Community Safety, a peer education programme to develop young leaders capable of promoting safeguarding and cohesion within their peer groups.

**Recommendation 4:**

The Learning & Achievement Service should work with schools and commissioned providers of interfaith work in schools to support the creation of safe spaces for young people to promote debate and critical discourse.

**Recommendation 5:**

The council should continue to engage local citizens, in particular young people, in the shaping of plans and commissioning of services aimed at promoting safeguarding and undermining the risks of people being drawn in to terrorism, the support of terrorism or violent extremism.

**Promoting Cohesion in Tower Hamlets**

**Recommendation 6:**

The Learning & Achievement Service should build on existing work to support schools in promoting equality and diversity, cohesion and critical thinking skills through the school curriculum and help them explore further opportunities to do this outside the curriculum.

**Recommendation 7:**

The council should exploit all commissioning opportunities to;

- Develop greater community leadership to promote and celebrate diversity; and to build resilience to challenges to community cohesion
- Ensure its approach to the commissioning of cohesion activities strengthens engagement across all communities in the borough and provides a platform for sustained interaction between communities.

**Recommendation 8:**

The Learning & Achievement Service should continue to promote the UNICEF Rights Respecting Schools Award to improve uptake across schools in the borough.

**Recommendation 9:**

The council should ensure the use of language across services and commissioned partners is consistent and compliant with the objective to promote community cohesion. This should include appropriate use; distinguishing between faith and ideology, avoiding objectification of groups or communities and greater clarity in describing risks/threats i.e. *“people being drawn into terrorism, the support of terrorism or violent extremism”* or *“increasing risk of travel to conflict zones including Syria and Iraq”* as opposed to using more general terms such as ‘radicalisation’.

**Recommendation 10:**

The Communications Service should adopt a more proactive approach to promoting cohesion through a borough wide campaign which celebrates our history, diversity

and resilience to adversity. This should include opportunities for resident involvement to promote the borough and a greater role within the Prevent Delivery Plan.

### **Developing Leadership around Prevent**

#### **Recommendation 11:**

Elected Members should be further supported to understand and comply with Sections C and E of the 2015 Prevent Duty Guidance, including:

- Dissemination of intelligence information to designated elected members in line with section C of the Prevent Duty Guidance;
- Guidance and training tailored for elected Members to enable them to understand their role in the Duty;
- Further consideration to the role of elected Members in the management of consequences following any local incidences.

#### **Recommendation 12:**

The council should progress work to promote greater collaborative working on Prevent and Safeguarding across the East London region. This should include work to promote greater consistency across the delivery of the Prevent Duty and sharing of appropriate intelligence across officers and elected Members.

#### **Recommendation 13:**

The council should take steps to promote an organisational culture which includes a focus on safeguarding and civic responsibility. This should also include consideration for rolling out appropriate e-learning modules for all staff to promote an understanding of the risks of being drawn into the support of terrorism.

- 3.10 Once agreed, the Working Group's report will be submitted to Cabinet for a response to the recommendations.

### **4. COMMENTS OF THE CHIEF FINANCE OFFICER**

- 4.1 The report details a number of recommendations for safeguarding young people, promoting cohesion in Tower Hamlets and developing leadership around Prevent. The financial implications of the recommendations will need to be considered and assessed as part of the Council's outcome based budgeting approach and Medium Term Financial Strategy.

### **5. LEGAL COMMENTS**

- 5.1 The Council is required by Section 9F of the Local Government Act 2000 to have an Overview and Scrutiny Committee and to have executive arrangements which ensure the committee has specified powers. Consistent with that obligation Article 6 of the Council's Constitution provides that the Overview and Scrutiny Committee may consider any matter affecting the area or its inhabitants and may make reports and recommendations to the Full Council or the Executive, as appropriate, in connection with the discharge of

any functions. It is consistent with the Constitution and the statutory framework for the Committee to be asked to agree the report and recommendations and to authorise a senior officer to amend the draft report before submission to Cabinet for consideration after consultation with the Chair of Overview and Scrutiny.

- 5.2. Section 26 of the Counter-Terrorism and Security Act 2015 ('the Act') placed the Government's existing Prevent strategy on a statutory basis, placing a duty on the Council, and well as schools and childcare providers, in the exercise of their existing functions, to have "due regard to the need to prevent people from being drawn into terrorism". The Prevent Strategy Guidance ('the Guidance') was issued on 1 July 2015 under section 29 of the Act, and the Council must have regard to the Guidance when carrying out its Prevent duty. The Guidance sets out that being drawn into terrorism includes not just violent extremism but also non-violent extremism, which can create an atmosphere conducive to terrorism and can popularise views which terrorists exploit.
- 5.3. The Guidance sets out that compliance with the Prevent duty requires the Council to engage in multi-agency partnership working, provide training for staff and relevant third party agency and develop a Prevent Action Plan to address risk in its area.
- 5.4. The Council's functions in relation to children include a duty under section 11 of the Children Act 2004 to make arrangements to ensure that its functions are discharged having regard to the need to safeguard and promote the welfare of children. Section 10 of the Act also requires the Council to make arrangements to promote cooperation between its safeguarding partner agencies including schools, the police, probation services and the youth offending team. Further, the Council has a duty to make enquiries under section 47 of the Children Act 1989 if they have reasonable cause to suspect that a child is likely to suffer significant harm, to enable them to decide whether they should take any action to safeguard and promote the child's welfare.
- 5.5. Schools have existing duties to forbid political indoctrination and secure a balanced presentation of political issues. These duties are imposed on maintained schools by sections 406 and 407 of the Education Act 1996. Additionally, section 175 of the Education Act 2002 places a duty on schools to ensure that their functions are discharged with regard to the need to safeguard and promote the welfare of children.
- 5.6. When considering sharing personal information, the Council must comply with its duties under the Human Rights Act 1998, Data Protection Act and the common law duty of confidentiality.
- 5.7. When planning Prevent strategies, the Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who don't (the public

sector equality duty). Some form of equality analysis will be required which is proportionate to the proposed action.

## **6. ONE TOWER HAMLETS CONSIDERATIONS**

- 6.1 The core focus of this review is on the council's approach to delivering the Prevent Duty. A key element of this is to ensure this does not have a negative impact on cohesion in the borough. The review makes a number of recommendations on ways the borough could become more cohesive through developing the community leadership role of local people and elected members, strengthening engagement with local people and community organisations and working collaboratively with partner organisations.

## **7. BEST VALUE (BV) IMPLICATIONS**

- 7.1 The recommendations in this report are made as part of the Overview & Scrutiny Committee's role in helping to secure continuous improvement for the council, as required under its Best Value duty.

## **8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT**

- 8.1 There are no direct sustainable actions for greener environment arising from this report.

## **9. RISK MANAGEMENT IMPLICATIONS**

- 9.1 The recommendations from this review will help build resilience to extremism and reduce risk of negative publicity for the borough.

## **10. CRIME AND DISORDER REDUCTION IMPLICATIONS**

- 10.1 The focus of the review is to ensure local people do not get involved in extremism and ensuring effective delivery of our Prevent Duty will reduce the number of local people involved in crime and disorder.

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### **Linked Reports, Appendices and Background Documents**

#### **Linked Report**

- NONE

#### **Appendices**

Appendix 1 – Delivering the Prevent Duty: Promoting Safeguarding in Tower Hamlets Scrutiny Review Report

#### **Local Government Act, 1972 Section 100D (As amended)**

#### **List of “Background Papers” used in the preparation of this report**

List any background documents not already in the public domain including officer contact information.

- These must be sent to Democratic Services with the report