



# Mapping the Prevent Duty in Higher Education Initial Findings

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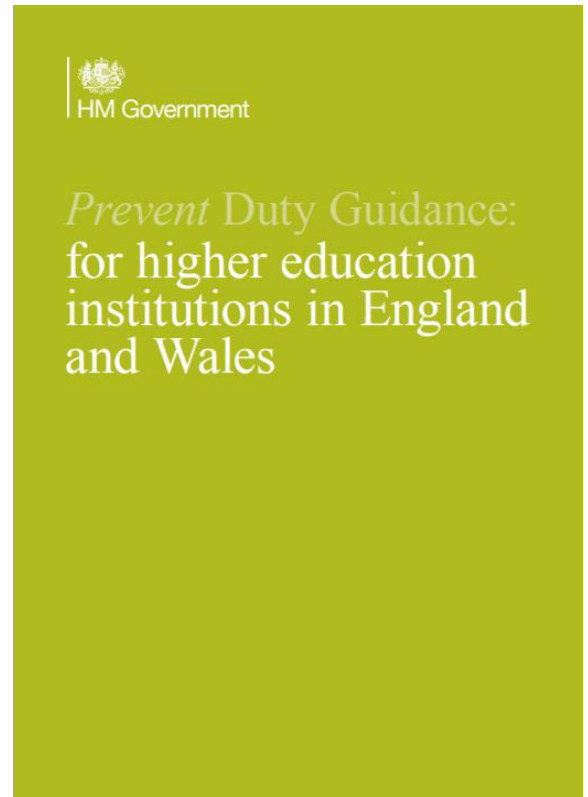
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# About the Project

*Desecuritising Higher Education* is a research project hosted at Birmingham City University and funded by the Joseph Rowntree Charitable Trust under their Peace and Security stream. The project seeks to investigate the Prevent Duty within UK Higher Education (UKHE) to establish how it has been enacted across the sector as well as to explore the attitudes and experiences of those impacted by it.

Currently, little is known about the specific ways in which UKHE institutions have interpreted and implemented this Duty. With over three years having now passed since the Prevent Duty came into effect our project looks to address this gap by assessing how it is being enacted and received. For example, are the stated aims of safeguarding and tackling the causes of radicalisation being realised or is the Duty undermining the ethos of UKHE as well as the fundamental rights and freedoms that lie at its core?



To address these sorts of questions this first phase of our project has conducted a structured survey of the Duty within UKHE covering the areas of organisational structure, guidance, training and referrals. In a future second phase of our project we will be engaging with students and staff to capture qualitative insights into individuals' first-hand experiences as a means of producing a practice-based understanding of the Duty's impact.

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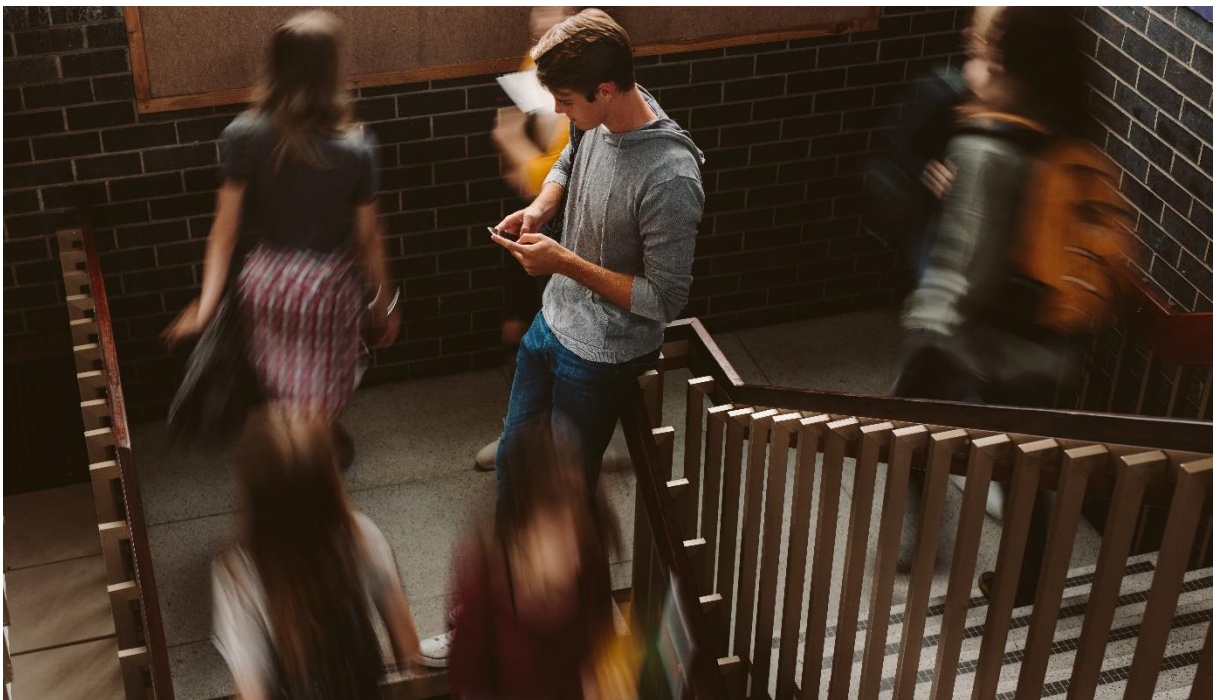
\* This report was edited on 6<sup>th</sup> November 2020 to address minor inaccuracies in the presentation of data.

# About the Project

With this in mind the aims of our project are to:

- Undertake a critical analysis of Prevent Duty policies and guidance across UKHE providers.
- Explore the attitudes, values, beliefs and behaviours of those impacted by the Prevent Duty within UKHE.
- Evaluate the design, implementation and effects of the Prevent Duty across UKHE.

This report represents the initial findings of the first phase of the project and therefore responds directly to the first aim as well as providing one aspect of our overall evaluation as characterised in our third aim.



# Executive Summary

- Over 60% of the 157 institutions named specific individuals with Prevent or safeguarding lead roles.
- Just under 40% of the 157 institutions confirmed that implementation of the Prevent Duty is being overseen by Prevent or safeguarding leads who are supported and monitored by Prevent specific or related groups and committees.
- 85 institutions confirmed that they have produced specific Prevent Duty policies while 29 confirmed Prevent had been embedded into pre-existing policies. A further 16 provided examples of both.
- 2 institutions that confirmed the existence of guidance materials on their intranet refused to disclose these as they were not intended for public viewing.
- There was a breadth of different types of training identified by institutions that they considered to be relevant to the Prevent Duty. Topics included:
  - Raising awareness of Prevent;
  - Safeguarding against extremism, radicalisation, etc.;
  - Prevent and Information Technology;
  - Unconscious bias;
  - Identifying signs of vulnerability;
  - Creating safer, more inclusive or more cohesive campuses;
  - Training for specific positions.

# Executive Summary

- Several third party organisations have been included in the design or delivery of training including the Home Office, the Leadership Foundation (now Advance HE), Safer Campus Communities, the Education and Training Foundation, the College of Policing and regional Police counter-terrorism units.
- In one instance, where online Prevent training was compulsory for all new staff within a 3 month period, a new member of staff was stood down from the specific duties that required them to have completed the training pending its completion.
- Of the 140 institutions in England and Wales in which Channel is in effect, 23 have referred individuals, 89 stated 0 referrals had been made and 28 refused to provide information.
- 13 institutions provided positive referral numbers, totalling 25 people.
- On 10 occasions justifications were given for the referrals made which included:
  - Risk of being radicalised;
  - Believed to be vulnerable to radicalisation;
  - Concerns about vulnerability;
  - Evidence to suggest the individual may have been radicalised;
  - Attempting to view an extremist website;
  - Social media activity and behaviours;
  - Proclamations on social media about being a god/prophet and the rights/wrongdoings of the Quran/Bible;
  - Behaviour witnessed on campus;
  - Concerns raised by staff, students and third parties;
  - Threats of violence and concerns over mental health

# 1. Introduction

# I. Introduction

In 2015 the Government passed the Counter-Terrorism and Security Act into law, updating and enhancing the scope of UK counter-terrorism powers. One unprecedented aspect of this law was to create a legal duty for various public authorities to perform a counter-extremism function as part of their day-to-day work. This function is commonly referred to as the 'Prevent Duty' after one of the streams of the UK's broader counter-terrorism strategy.

UKHE was one area of the public sector that came under the auspice of the Prevent Duty. However, since coming into law the Duty has been criticised within UKHE for standing in opposition to the long held values of the sector as well as creating a troubling division between students as risks and staff as risk managers (NUSconnect, n.d.). There is a danger, therefore, that in UKHE the Duty may prove counter-productive by damaging relations between staff and students, stigmatising Muslims (El-Enany, 2019) and limiting discussions around certain subject matter deemed sensitive.

In light of these potential issues it is important to understand how the Duty looks within UKHE and what it means in practice for those working and studying within the sector.

One major obstacle to addressing these issues is that currently little is known about the specific ways in which UKHE institutions have interpreted and implemented this duty. Our research has sought to address this gap in knowledge by conducting a structured survey into the Duty within UKHE. To achieve this we have drawn extensively on Freedom of Information Requests (FOIs) starting in November 2018 with data collection and analysis continuing through until March 2019. In total we sent 158 FOIs and received 157 replies. Requests went to institutions across the UK but did not include Northern Ireland as the Duty does not apply here.



# I. Introduction

In our FOIs we asked the following seven questions:

1. What is your organisation's Prevent Duty structure (management structure etc.)?
2. Does your institution hold Prevent Duty guidance on the University's intranet?
3. What training do you provide to your staff in relation to the Prevent Duty?
4. How many of your staff have received Prevent Duty training?
5. How many people has your organisation referred to the Channel programme since September 2015?\*
6. Of those referred, how many were students?
7. What were the justifications given for the referrals?

All the material contained within this report has come directly from the written replies disclosed to us. In some instances institutions also provided additional information in the form of web links or attachments, for example, when demonstrating examples of guidance materials provided to staff at their institutions. The specifics of these additional documents are not included as part of this report but will make up the focus of future research.

The findings we cover in the report are the culmination of our initial analysis where we have tried to draw out broad trends and highlight key findings. Our report reveals important information about how the Duty has been enacted within UKHE and our findings also suggest a level of disproportionality here in how it has been implemented and actioned. The levels of risk appear to be low, while the governmental responses and bureaucratic responses of institutions appear extensive.

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\* Please also note that Prevent is implemented in Scotland but there is no Channel referral programme. Their equivalent is 'Prevent Professional Concerns' and did not concern this analysis.

# I. Introduction

We present these findings in acknowledgement of the limitations facing a study such as this, in particular, one that uses FOIs as a research tool to draw conclusions about something as broad as UKHE. FOIs provide a relatively straightforward way to quickly generate a lot of policy specific data and in this regard were ideally suited for this part of our project.

However, they are not without limitations and issues present from method through to analysis and presentation. For example, the responses and data we have received have their own limitations insofar as they are 'official' answers and may be crafted as such, offer less in the way of explanatory detail and do not necessarily lend themselves easily to simple aggregation on account of the variable format of the responses received.

In spite of these limitations the data we have generated and presented in this report provides useful insight into how the Duty is operating in UKHE and gives a first of its kind sector wide look at enactment. The report looks in turn at the following four different aspects of the Duty within UKHE: organisational structure, guidance, training and referrals.

We conclude the report by reflecting on what our data can tell us about Prevent within UKHE, where the issues lie and where further research may be particularly valuable.

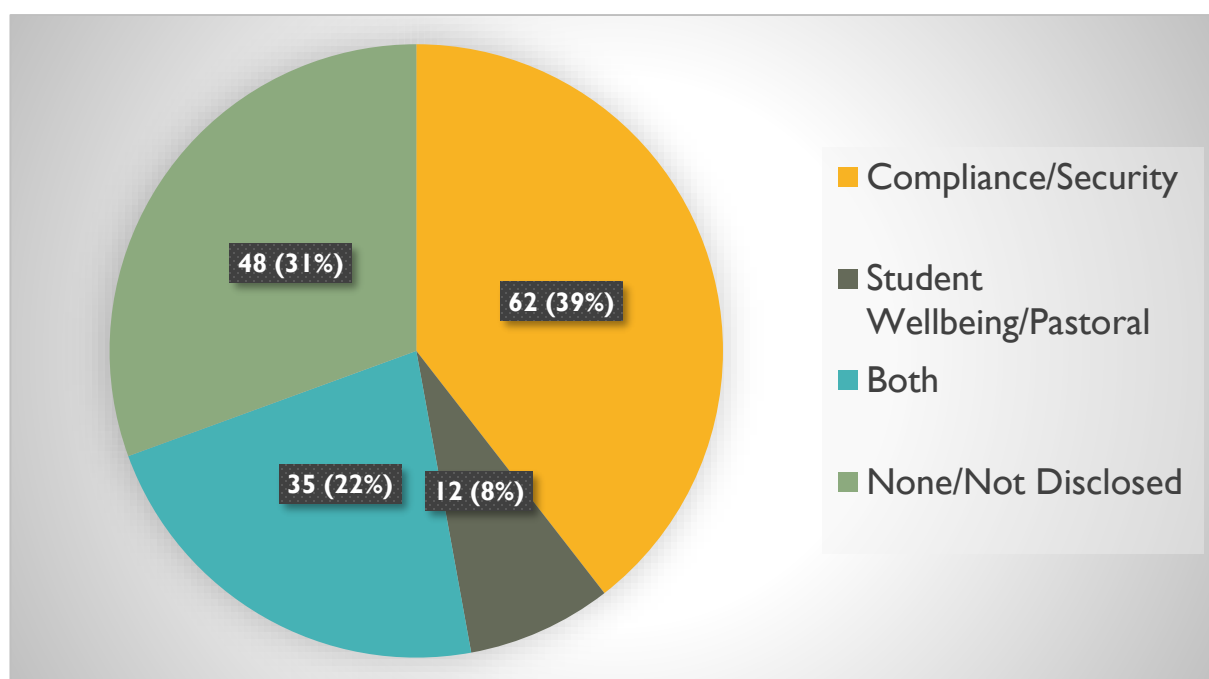
## **2. Organisational Structure**

## 2. Organisational Structure

Our first question concerned the organisational structure different institutions were adopting in order to respond to the Prevent Duty. The response rate to this question was approximately 81% with 128 of the 157 institutions providing us with some form of relevant information.

### Key Findings

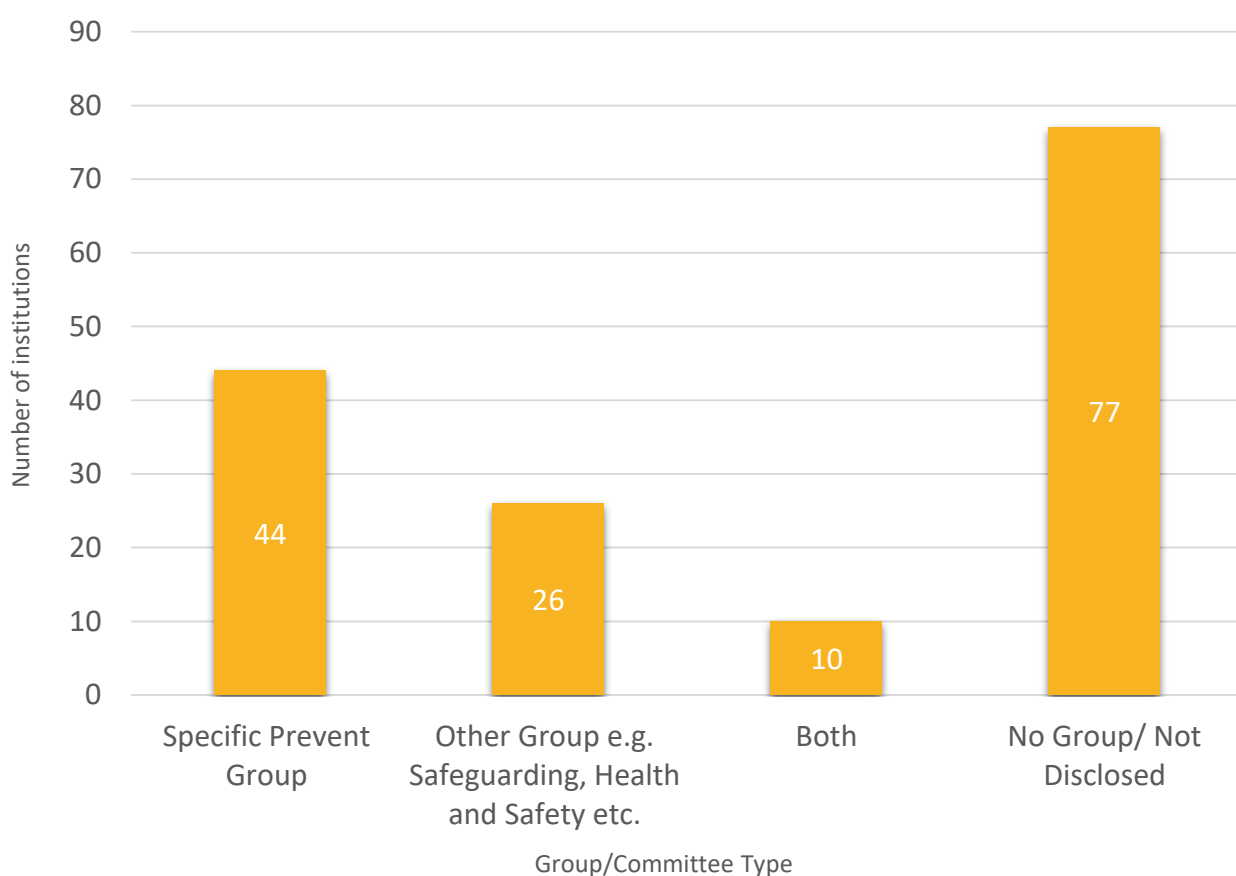
- Over 60% of the 157 institutions named specific individuals with Prevent/safeguarding lead roles.
- Just under 40% of institutions confirmed that implementation is overseen by Prevent or safeguarding leads who are supported and monitored by Prevent specific or related groups and committees.



**Figure 1 – Breakdown of staff with prominent Prevent implementation roles (e.g. Prevent/safeguarding lead, chair of related working group, etc.) by work area and number of institutions (Total = 157).**

## 2. Organisational Structure

- Approximately 28% of institutions responded stating that a specific Prevent related group/committee had been established to respond to the Duty.
- Approximately 16% of institutions stated that the Duty was being managed by other groups such as safeguarding, health and safety, equality and diversity, board of governors, etc.



**Figure 2 - Breakdown of the groups/committees with implementation duties or responsibilities for overseeing Prevent Duty by number of institutions (Total = 157)**

## 2. Organisational Structure

- While broadly similar in structure there was evidence of a twofold typology across the sector consisting of structures that either appeared to accentuate **student wellbeing** or a more straightforward **compliance** with the Duty.
- A **student wellbeing approach** was typified by an emphasis on the Duty's role as a means of safeguarding and saw greater responsibility being given to those operating with student focused roles such as Director of Student Wellbeing or Director of Student Services.
- A **compliance approach** was typified by the prominent involvement of legal, administrative or management staff and the existence of substantial monitoring structures often including the highest levels of accountability such as the Vice Chancellor's Office or University Boards and Councils.
- This typology reveals some divergence in the composition of the organisational structures across the sector but the extent to which these different approaches produce substantially different results in terms of operation remains unclear and will require further investigation.
- There was also evidence to suggest a much smaller group of institutions are currently (or have previously) approached their statutory obligations as primarily being about security. Here we observe the focus being placed on deterring terrorist activity or monitoring conducted by security focused working groups.

## 2. Organisational Structure

### **Case Study: An example of a student wellbeing approach to the Prevent Duty**

- Prevent Lead is the Deputy Secretary of Student Experience.
- Staff are encouraged to discuss potential concerns about students at an early stage.
- Contacts for these discussions include the various Deans of Students, Director of Student Wellbeing and the Director of Counselling Services.
- Possible routes of action include arranging support for the student.
- Briefings on related topics such as Islamophobia.

### **Case Study: An example of a compliance approach to the Prevent Duty**

- The Prevent Lead is the Academic Registrar who chairs a Prevent Steering Group.
- This group includes representatives from all faculties and professional services directorate, the Student's Union and the Governing Body.
- The Registrar reports on Prevent implementation to the University council, Senate and Executive Board on a quarterly basis.
- A Prevent training matrix is in place to identify training requirements for each role/department.
- The University council has also received training on their responsibilities related to Prevent.

# **3. Prevent Duty Guidance**



# 3. Prevent Duty Guidance

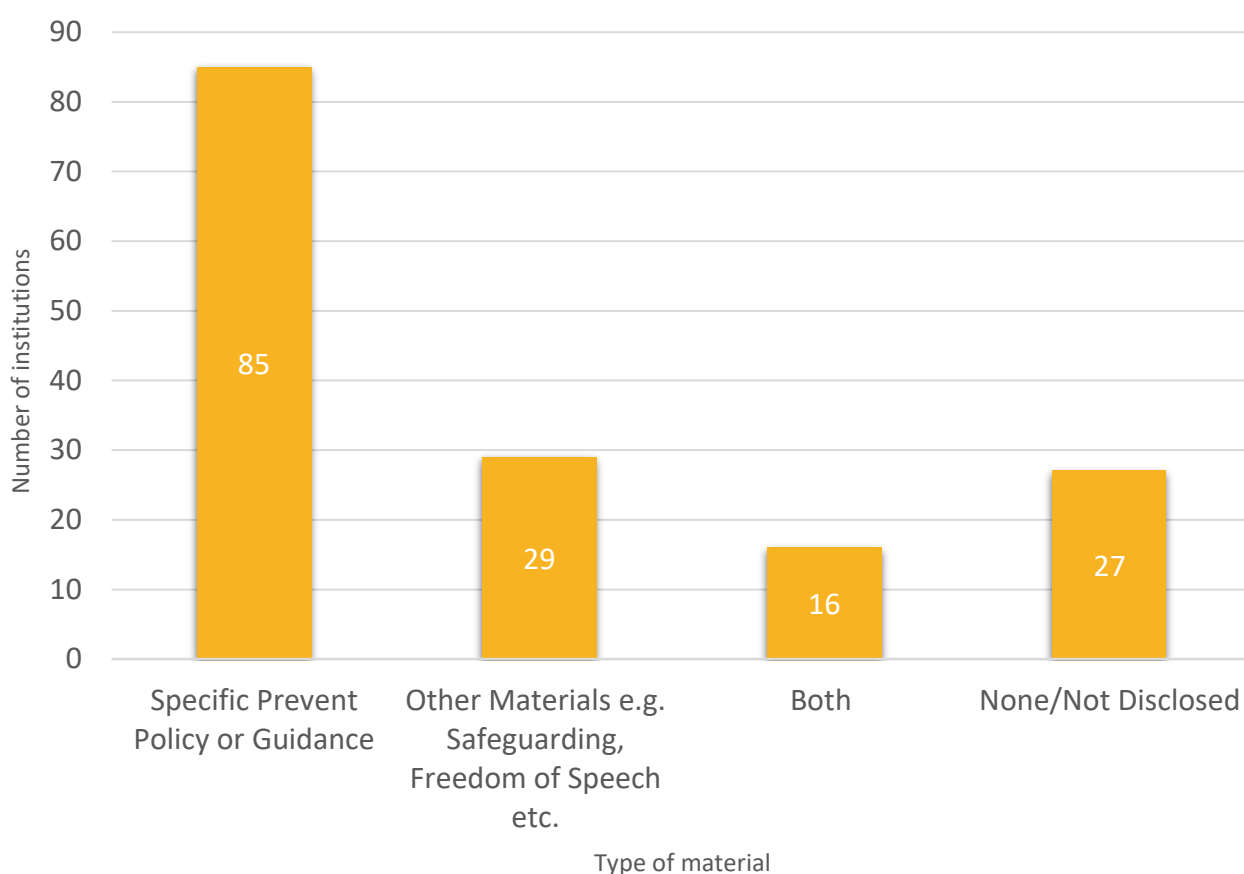
Our second question concerned Prevent Duty guidance being provided to staff. Specifically, we were interested in material that was not publically available online but that was housed on the institution's intranet. However, in answer to this question we received information from institutions' intranets as well as publically available information. The response rate for this question was approximately 83% with 130 of 157 institutions providing policy and guidance documents they considered relevant to the Duty.

## Key Findings

- Of the 157 responses we received:
  - 85 institutions disclosed policies or guidance specific to Prevent;
  - 29 institutions gave us separate policies where Prevent had been embedded;
  - 16 institutions provided examples of both;
  - 27 institutions provided no policies or guidance.
- Within this data we received several examples of more specific polices that had been drafted or amended in response to the Duty. These included policies on:
  - Freedom of Speech;
  - External Speakers;
  - IT;
  - Staff and Students Working on Security Sensitive Research;
  - Students Giving Cause for Concern;
  - Equality Diversity and Inclusion.

# 3. Prevent Duty Guidance

- In total nearly 65% of the respondents returned policies or guidance that was specifically linked to the Prevent Duty. Approximately 18% of the institutions provided material not specifically related to Prevent such as included in the list above.



**Figure 3 – Breakdown of types of materials returned in answers to question 2 by number of institutions (Total = 157)**

- 2 institutions confirmed the existence of guidance materials on their intranet but did not provide us with this stating that it was not intended for public viewing.

# 4. Prevent Duty Training

# 4. Prevent Duty Training

Questions 3 and 4 of our FOI request dealt with numbers of staff who had received Prevent Duty training and what this training consisted of. Across these 2 questions response rate was approximately 99% with 155 of 157 institutions providing information relating to training.

## Key Findings

- There was a significant degree of diversity around the types of training being provided. This was in evidence in terms of the different aspects and issues training dealt with across the sector (including the use of specific packages/taught modules), the tone these struck, the audiences they were intended for and the people and groups involved with their delivery and design.
- Training often came with specific references to the Prevent Duty. Where this was absent alternatives typically focused on issues such as terrorism, extremism, radicalisation, safeguarding or less commonly topics such as unconscious bias.
- Examples of third party groups involved in the delivery and design of training included the Home Office, the Leadership Foundation (now Advance HE), Safer Campus Communities, the Education and Training Foundation, the College of Policing and regional Police counter-terrorism units.

# 4. Prevent Duty Training

- 18 of the aforementioned training packages/modules were named in the replies although many of these were mentioned multiple times by different institutions. The table below includes the 18 packages/modules mentioned.

WRAP (Workshop to Raise Awareness of Prevent)	Prevent for Support Staff
ACT (Action Counters Terrorism)	The Prevent Duty and IT
Introduction to Student Support	Channel Awareness
Safeguarding Essentials	Working with the Prevent Duty
Safeguarding against Extremism	Safer Campus Communities
Safeguarding against Radicalisation	Inclusive, Cohesive and Safe Campus Communities
The Prevent Duty: Safeguarding, Pastoral Care and Student Support	Implementing the Prevent Duty and Upholding the Principles of Academic Freedom.
Prevent for Leaders and Managers	The Prevent Duty as it Affects Higher Education.
Leadership and the Prevent Duty	Supporting our Students

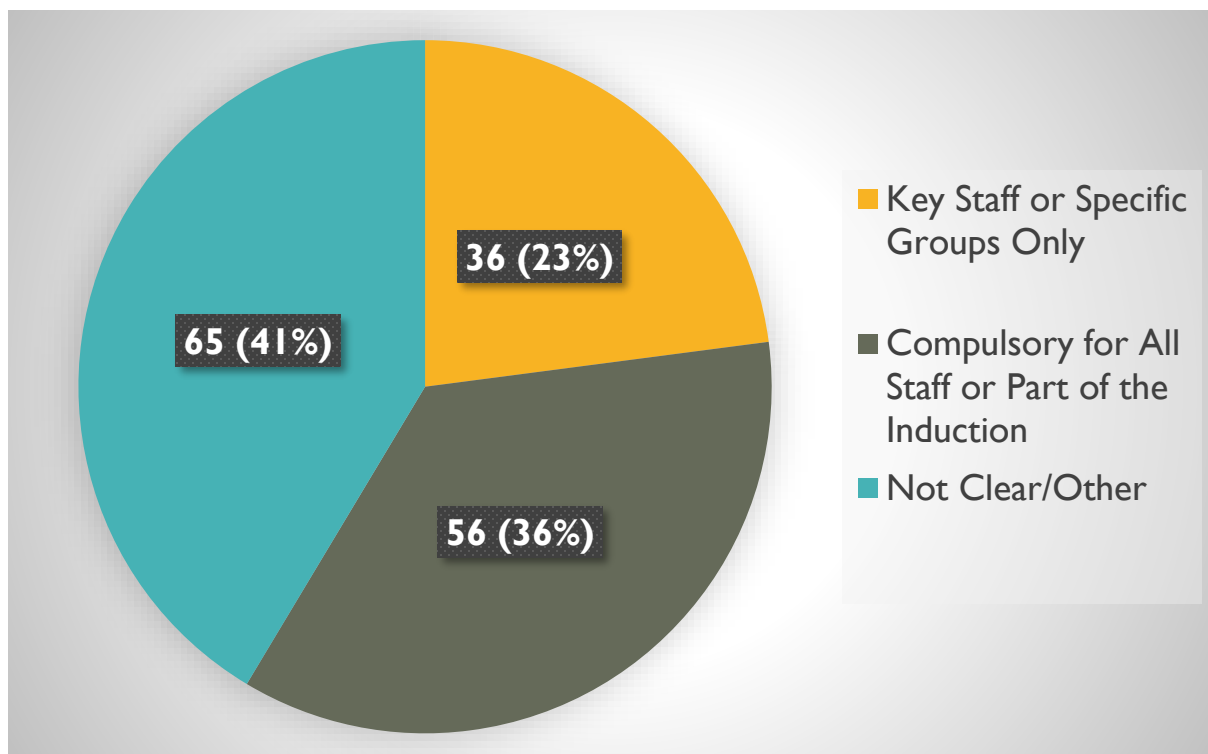
**Table 1 – Training packages and modules mentioned in response to question 3**

- Training package/modules such as “Supporting our Students”, “The Prevent Duty as it Affects Higher Education” and “Action Counters Terrorism” provide further evidence of the different emphasis across institutions between student wellbeing, compliance and security.

# 4. Prevent Duty Training

- Training packages/modules such as “*Prevent for Leaders and Managers*”, “*Prevent for Support Staff*” and “*Working with the Prevent Duty*” demonstrate both how broadly the Duty is being deployed as well as how it has been adsorbed into the bureaucratic structures of staff training and professional development.
- We also observed examples of more specific training offered to particular groups of staff. For example, in one instance training on ‘controversial meetings’ was being delivered to timetabling staff and elsewhere a bespoke simulation game was available that aims, ‘to teach users to spot signs of radicalisation in young people’.
- Increasingly, compliance with the Duty appears to be being enforced by integrating training into the induction and probation process. 56 universities stated that Prevent/safeguarding training was compulsory with 27 of these stating this was to be completed during the induction or probation period.
- Compliance was being ensured in one institution by allocating two members of staff per Faculty as ‘local advisors’ tasked with delivering training and raising awareness.
- In one instance, where online Prevent training was compulsory for all new staff within a 3 month period, a new member of staff was stood down from the specific duties that required them to have completed the training pending its completion.

# 4. Prevent Duty Training



**Figure 4 – Breakdown of who is required to complete Prevent/safeguarding training by number of institutions (Total =157)**

- Training is being offered to both staff and students and one institution confirmed that WRAP training was delivered to both these groups.
- Prevent training is not a static issue and 9 institutions explicitly stated that new training was being designed as were refresher courses. Others stated their commitment to raising training numbers.

# **5. Referrals through Prevent**



# 5. Referrals through Prevent

Questions 5-7 concerned the numbers of referrals that had taken place through the Channel programme and what the rationale for these were. Of the 140 institutions in England and Wales (there is no Channel in Scotland) – 23 (16%) confirmed they had made referrals\* (of which 13 provided a specific number), 89 (64%) stated that 0 referrals had been made, 27 (19%) refused to provide information and 1 (1%) stated that they did not have a record of these referrals.

## Key Findings

- Of the 13 institutions that provided a specific positive referral number all were between 1 and 5 referrals.
- Across these 13 institutions a total of 25 people have been referred. The table below breaks down the referral data by number of referrals and institutions.

No. of Referrals	No. of Institutions
1	8
2	2
3	1
4	0
5	2

**Table 2 – Number of referrals made by number of institutions**

\* This number includes those institutions that provided a specific number of referrals made (13 in total) as well as those that refused to disclose a specific number but did so on account of risks concerning revealing an individual (10 in total).

# 5. Referrals through Prevent

- It is not exclusively students who have been referred. In one instance where 5 people had been referred only 3 of these were students. While many of the concerns raised about the Duty have understandably focused on students, the Duty applies across whole sector and this information confirms that it is being implemented as such.
- Of the 13 institutions that provided specific positive referral numbers 8 of these provided justifications for their referrals. The justifications were as follows\*:
  - Risk of being radicalised;
  - Believed to be vulnerable to radicalisation;
  - Concerns about vulnerability;
  - Evidence to suggest the individual may have been radicalised;
  - Attempting to view an extremist website;
  - Social media activity and behaviours;
  - Proclamations on social media about being a god/prophet and the rights/wrongdoings of the Quran/Bible;
  - Behaviour witnessed on campus;
  - Concerns raised by staff, students and third parties;
  - Threats of violence and concerns over mental health.
- The remaining 4 institutions that returned specific positive referral numbers refused to disclose their justifications for doing so citing exemptions contained within the Freedom of Information Act (FOIA 2000). Such refusal were indicative of a level of resistance we received to these particular questions.

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\* Some institutions returned multiple justifications

# 5. Referrals through Prevent

- More significant than the resistance experienced when asking for justifications for referrals were the 28 institutions that refused to disclose any referral data citing exemptions. These exemptions made reference to sections 21, 24(2), 31, 36 and 40(2) of the FOIA (2000) covering justifications such as safeguarding national security, not prejudicing law enforcement and protecting the privacy of the individual.
- Not to ignore the ethical issues that can surround disclosure there does appear to be a particular disparity in transparency across UKHE with regards to referrals. Given the nature of some of the exceptions cited it will be the case that some of these refusals would yield positive referral numbers. Such refusals make it difficult to evaluate the extent of the Duty within UKHE and could also imply an institutional nervousness in being associated with referring people from their institutions.
- Nevertheless, at 25 the number of confirmed individuals referred since September 2015 was very low. When taken alongside the 89 institutions that confirmed nobody had been referred it does raise important questions about the level of risk in UKHE and the proportionality of the Duty across the sector.

# 6. Conclusion

# 6. Conclusion

This report provides the initial findings from the 157 replies we received from Higher Education Institutions in response to FOIs asking how the Prevent Duty was operating in their institution. We have undertaken this initial mapping exercise across UKHE to produce a more detailed picture of how the Duty has actually been operationalised rather than basing this solely on the Government's guidance and expectations. We have laid out our initial findings over the previous pages but here we take the opportunity to reflect on four key issues that have emerged.

**Firstly**, the data paints a picture of how extensively the Duty has been integrated into the operation of these institutions. From the creation of new structures and groups that oversee the delivery and management of the Duty through to the production of new policies that ensure compliance, it appears that the Duty has a very wide coverage within UKHE.

This wide coverage also reinforces previous research that indicates an increase in bureaucratic conservatism across the sector (Spiller, Awan and Whiting, 2018) and the likelihood that institutions have listened primarily to the desire for a 'risk based' implementation rather than a 'proportionate' one (HM Government, 2015, p. 3).

On top of this is the way in which the Duty is 'feeding down' through the institution to Departments and individual members of staff in the form of training and guidance that places further strain on time and resources. Establishing whether this raft of new bureaucracy helps achieve the Duty's objectives or, conversely, deters or prevents certain speakers coming on campus, makes discussing 'controversial' subject matter more difficult, or impedes research into topics deemed sensitive (such as terrorism) will be crucial to establishing its effect in the sector.

## 6. Conclusion

**Secondly**, there does appear to be some divergence in how the Duty is being enacted across UKHE. From the scope of training offered and who is required to complete it, to the existence of standalone Prevent policies or the amendment of existing frameworks the enactment of the Duty looks different across the sector.

While organisational structures appeared broadly similar even here there was an apparent distinction between those that appeared to accentuate student wellbeing (and Prevent as an extension of existing safeguarding practices) and those that have a more straightforward compliance with the requirements of the Duty. Deeper questions remain around Prevent as safeguarding (Qurashi, 2017), however, the extent to which these different approaches - and indeed other examples of variance - offers anything substantively different in practice and upon the experience of those within the sector will be an important avenue for our future research.

**Thirdly**, some of the replies we received in particular around referrals and guidance indicate a degree of nervousness around transparency. Notwithstanding important ethical considerations around disclosure, 28 institutions in England and Wales refused to provide any information indicating whether there had been any referrals to Channel. Similarly, Prevent guidance was split between public facing and internal material – the latter of which was only accessible to staff via the institution’s intranet and on two occasions this was not made available to us.

Other sources of information such as that provided by the Office for Students can help to develop a fuller picture of the Duty. However, the gaps in public knowledge that remain prevent a more robust evaluation and when taken alongside findings such as staff being stood down from particular roles for non-compliance and non-student referrals, suggest that the operation of the Duty is likely more extensive than we have revealed here.

# 6. Conclusion

**Finally**, our report raises questions about the proportionality of the Duty within UKHE. The findings have revealed the pervasiveness of the Duty and the ways in which it has repositioned the responsibilities of institutions and staff into the domain of counter-terrorism. The Duty has been absorbed into bureaucratic structures, staff training and professional development as well as impacting upon areas such as teaching, research and external speakers. The extent of the Duty within UKHE, to us, suggests a governmental response that is not proportionate to the risk presented here.

Having conducted this initial mapping exercise our plans now are to analyse this data in greater depth around specific areas as well as to address some of the deeper questions surrounding the Duty by engaging directly with students and staff within UKHE. Furthermore, by continuing in these directions we aim to provide further explanatory detail in response to some of the questions we have raised in this conclusion as well as continuing to respond to our project's overarching aims.



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# Project Team & Contacts

## Project Team

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