

# Channel: Protecting vulnerable people from being drawn into terrorism

A guide for local partnerships

October 2012

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## Foreword

To reduce the risk from terrorism we need not only to stop terrorist attacks but also to prevent people becoming terrorists. This is one objective of CONTEST, the Government's strategy for countering international terrorism.

All the terrorist groups who pose a threat to us seek to radicalise and recruit people to their cause. Our response to this threat is the *Prevent* strategy which we revised in June 2011. The aim of *Prevent* is to stop people becoming or supporting terrorists, by challenging the spread of terrorist ideology, supporting vulnerable individuals, and working in key sectors and institutions.

Work to safeguard children and adults, providing early intervention to protect and divert people away from being drawn into terrorist activity, is at the heart of the revised *Prevent* strategy. Supporting vulnerable individuals requires clear frameworks – including guidance on how to identify vulnerability and assess risk, where to seek support and measures to ensure that we do not ever confuse prevention and early intervention with law enforcement. This document provides the police, local authorities and other partners with the guidance required for the successful implementation of Channel. In particular, we would like to draw your attention to some significant aspects of this new guidance:

- the core principles of the *Prevent* strategy, including a clear focus on tackling all forms of terrorism and extremism that is related to terrorism;
- an emphasis on the importance of local authority leadership of the multi-agency panel in delivering an effective support package for the individual;
- the new framework for assessment of risks and vulnerabilities, based around understanding an individual's engagement with terrorist ideology, their intention to cause harm and their capability to do so;
- the protocols which govern information sharing and data protection to ensure that the rights of individuals supported by Channel are respected fully; and
- the arrangements for monitoring and appraisal of cases.

Terrorism is a real and serious threat to us all. Preventing people from being drawn into terrorist-related activity and ensuring they are given advice and the right support through Channel, is an important part of our response.



SIOBHAN PETERS  
Director *Prevent*, Office for Security and Counter-Terrorism, Home Office



DCC CRAIG DENHOLM  
Association of Chief Police Officers

## Part 1: Introduction

1.1 Channel is a key element of the *Prevent* strategy. It is a multi-agency approach to protect people at risk from radicalisation. Channel uses existing collaboration between local authorities, statutory partners (such as the education and health sectors, social services, children's and youth services and offender management services), the police and the local community to:

- identify individuals at risk of being drawn into terrorism;
- assess the nature and extent of that risk; and
- develop the most appropriate support plan for the individuals concerned.

1.2 Channel is about safeguarding children and adults from being drawn into committing terrorist-related activity. It is about early intervention to protect and divert people away from the risk they face before illegality occurs.

### The *Prevent* Strategy

1.3 The purpose of the *Prevent* strategy: (<http://www.homeoffice.gov.uk/publications/counter-terrorism/prevent/prevent-strategy/>) is to stop people becoming terrorists or supporting terrorism. *Prevent* is one of the four main workstreams of the overall UK strategy for Countering Terrorism, known as CONTEST. (<http://www.homeoffice.gov.uk/publications/counter-terrorism/counter-terrorism-strategy/>)

1.4 In June 2011 the Government reiterated its commitment to the prevention of radicalisation as an integral part of the counter-terrorism strategy by publishing a revised, more focused, *Prevent* strategy. The strategy addresses all forms of terrorism and focuses work to prevent radicalisation on three key objectives:

- 1) challenging ideology that supports terrorism;
- 2) protecting vulnerable individuals; and
- 3) supporting sectors and institutions where there is a risk of radicalisation.

1.5 *Prevent* is a national programme that, under the revised strategy, is prioritised at a local level according to the risks we face. All communities are affected by the threat from terrorism but the nature and extent of the threat will vary across the country: local responses need to be appropriate and proportionate to local circumstances. The Office for Security and Counter-Terrorism (OSCT) has identified a number of priority areas for the focus of *Prevent* work. These have been selected according to the risks we face. They are listed in the *Prevent* strategy.

1.6 *Prevent* addresses all forms of terrorism and extremism that are related to terrorism. The threat to the UK from terrorism is set out in the revised CONTEST strategy, published in July 2011 (<http://www.homeoffice.gov.uk/publications/counter-terrorism/counter-terrorism-strategy/strategy-contest/>). The principles of the revised *Prevent* strategy applies equally to all communities who may be the focus of attention from terrorists and radicalisers. This includes those at risk from groups supporting international terrorism, far right extremist ideologies and other forms of terrorism. *Prevent's* focus is on preventing individuals from becoming terrorists or supporting terrorism rather than the promotion of more general work on community cohesion or integration.

1.7 A key parallel to the *Prevent* strategy is the Government's approach to the wider issue of extremism and promoting integration. The Department for Communities and Local Government statement 'Creating the Conditions for Integration' (<http://www.communities.gov.uk/documents/communities/pdf/2092103.pdf>) sets out the Government's approach to integration in England. It focuses on integration being achieved when neighbourhoods, families and individuals come together on issues which matter to them.

1.8 Tackling intolerance and extremism is an essential part of this approach and therefore challenging extremists who seek to undermine society and refusing to engage with or fund such organisations is clearly an area where there is an important interface with *Prevent* work. Individuals and organisations that hold extremist views or support terrorist-related activity of any kind, in this country or overseas, have no place in delivering Channel and will not be given public funding to do so. This applies irrespective of the source of the funding: central government, local government, policing or other publicly funded bodies.

## Aims and Objectives

1.9 The purpose of this guidance is to:

- provide advice for local partnerships on how to deliver Channel projects;
- explain why people may turn towards terrorism and describe indicators which may suggest they are doing so;
- provide advice on the support that can be provided to safeguard those at risk of being targeted by terrorists and radicalisers.

1.10 This guidance should be used alongside:

- CONTEST which sets out the UK's Strategy for Countering International Terrorism (<http://www.homeoffice.gov.uk/publications/counter-terrorism/counter-terrorism-strategy/>)
- *Prevent* Strategy (<http://www.homeoffice.gov.uk/publications/counter-terrorism/prevent/prevent-strategy/>)
- Multi-Agency Public Protection Arrangements (MAPPA) which sets out how partners should manage those being released from custody who pose a serious risk of harm to others (<http://www.justice.gov.uk/offenders/multi-agency-public-protection-arrangements>)
- Working Together to Safeguard Children which sets out how individuals and organisations should work together to safeguard and promote the welfare of children. (<https://www.education.gov.uk/publications/standard/publicationdetail/page1/DCSF-00305-2010>)
- Building Partnerships, Staying Safe which explains the health sector's contribution to the Government's *Prevent* strategy: [http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH\\_131929](http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_131929)

## Part 2: Key elements and structures

2.1 *Prevent* is a national programme that is prioritised at local level according to the risks we face. Channel is now available across England and Wales.

2.2 Channel relies on coordinated activity at local level and uses existing collaboration between local authorities, the police, statutory partners (such as the education sector, social services, children's and youth services and offender management services) and the local community.

2.3 There is a police practitioner responsible for coordinating delivery of Channel in all areas. Some areas have a **dedicated** police Channel coordinator; these are closely aligned to the *Prevent* priority areas. In other areas this role is carried out by a police officer or member of staff as **part** of an individual's responsibilities, for example by a *Prevent* Engagement Officer (PEO) or Single Point of Contact (SPOC) within the police force. PEOs and SPOCs have access to the support and expertise of the Channel coordinators within their region.

2.4 In addition to someone responsible for coordinating Channel in an area, a Channel project needs a multi-agency panel and information sharing protocols. Brief details of each of these are given below.

### The multi-agency panel

2.5 The role of the multi-agency panel is to develop an appropriate support package to safeguard those at risk of being drawn into terrorism based on an assessment of their vulnerability. The panel is responsible for managing the safeguarding risk which is in line with other multi-agency panels where risk is managed, such as Children and Adult Safeguarding panels and Multi-Agency Public Protection Arrangements (MAPPA).

2.6 The panel should be chaired by the local authority and include the Channel police practitioner and other relevant statutory partners.

### The Chair of the multi-agency panel is responsible for:

- identifying the appropriate support package by using the expertise of the panel;
- ensuring that safeguarding risks are identified and are referred to the appropriate agencies for action;
- ensuring an effective support plan is put in place; and
- ensuring individuals and/or organisations on the panel carry out their elements of the support plan and an effective support package is delivered.

2.7 Depending on the nature of the case the panel may include representatives from the following:

- Local Authority
- Police
- Schools, Colleges and Universities
- Youth Offending Services
- Directors of Children's and Adult's Services
- Chairs of Local Children and Adult Safeguarding Boards
- Local Authority Safeguarding Managers (adult and/or children)
- Local Authority Troubled Families Teams
- Health services
- UK Border Agency
- UK Border Force
- Social workers
- Prisons
- Probation

### The multi-agency panel: the options

- A **bespoke** panel tailored to the needs of individual cases, including partners who can offer the appropriate support; or
- An **existing** panel formed for other referral mechanisms such as safeguarding panels. This avoids creating new structures and over-burdening partners with the need to attend multiple meetings.



## Safeguarding responsibilities

2.8 Safeguarding and promoting the welfare of vulnerable children and adults is the responsibility of all statutory partners.

2.9 It is a key requirement for local authorities, working with other partners including the police, the health sector, schools and colleges, the voluntary sector, parents and carers and the wider community to ensure that vulnerable children, young people and adults are protected from harm. They have a legal duty to work together to safeguard and promote the welfare of children and young people<sup>1</sup>.

2.10 Local authorities also have a lead role in coordinating work to safeguard adults. Most local authorities have now established Adult Safeguarding Boards in their areas to provide strategic leadership to the work of the local authority and partner agencies on the development of policy and practice in relation to safeguarding vulnerable adults. All local authorities also have Local Safeguarding Children Boards with an equivalent strategic leadership role in relation to partners involved in safeguarding children locally.

2.11 Channel referrals should therefore be prioritised by the local authority and other statutory partners in all their work to safeguard vulnerable individuals. Channel should be considered alongside other early intervention measures such as work undertaken to support and divert young people from anti-social behaviour, gangs or drugs.

## The Channel coordinator and Channel police practitioner

2.12 The primary responsibility of a Channel police practitioner is to establish and maintain a multi-agency process that assesses those at risk of being drawn into terrorism.

### All Channel police practitioners are responsible for:

- managing cases through the Channel process in accordance with the Channel guidance and case management principles;
- increasing understanding of Channel amongst statutory and voluntary sector partners;
- establishing effective relationships with partners and organisations who can deliver support; and
- managing any risk associated with the individual's potential involvement in criminality associated with terrorism.

### In addition, Channel coordinators are responsible for:

- providing support and expert advice to all forces and local authorities across the region.

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<sup>1</sup> The Children Act 1989 and 2004, section 11 of the Children Act 2004, section 175 of the Education Act 2002, section 55 of the Borders, Citizenship and Immigration Act 2009 specifically place duties on organisations and individuals to ensure that their functions are discharged with regard to the need to safeguard and promote the welfare of children.

2.13 All Channel police practitioners (coordinators, PEOs and SPOCs) must understand the communities they serve and the challenges they face. It is vital that communities are not seen only from a counter-terrorism perspective.

## Sharing information

2.14 Channel is **not** a process for gathering intelligence. It is a process for providing support to people at risk. In common with other such programmes, it does require the sharing of personal information to ensure that the full range of an individual's vulnerabilities are identified and addressed. Information sharing must be assessed on a case by case basis and is governed by legislation, the details of which are set out in Annex A. It is good practice to have an Information Sharing Agreement in place at a local level to facilitate this process.

2.15 The following principles should guide information sharing:

- **Necessity and proportionality:** information should only be shared where it is strictly necessary to the intended outcome and proportionate to it. Key to determining the necessity and proportionality of sharing information will be the professional judgement of the risks to an individual or the public.
- **Consent:** wherever possible the consent of the person concerned should be obtained before sharing any information about them. In the absence of consent, personal information cannot be shared without satisfying one of the gateway or exemption conditions (see Annex A).
- **Power to share:** the sharing of data by public sector bodies requires the existence of a power to do so, in addition to satisfying the requirements of the Data Protection Act, the Human Rights Act and the Common Law Duty of Confidentiality. In engaging with non-public bodies it is good practice to ensure that they are aware of their own responsibilities under the Data Protection Act.

2.16 The information collected by organisations must comply with the relevant national guidelines and/or legislation for the management of information. For the police, for example, these are outlined in the Management of Police Information (MOPI) 2010; in particular Section 7 which relates to the review, retention and disposal of information.

## Part 3: Identification

3.1 This section provides examples of the ways in which people can be vulnerable to radicalisation and the indicators that might suggest that an individual might be vulnerable. It should not be assumed that the characteristics and experiences set out below necessarily indicate that a person is either committed to terrorism or may become a terrorist.

3.2 Channel is about protecting people from radicalisation into all forms of terrorism, but the most significant threat to this country is from Al Qa'ida affiliated, influenced and associated groups and many Channel referrals will therefore relate to this threat. However, the principles set out in this section apply equally to other terrorist groups.

3.3 It is also important to emphasise that the following activities may involve illegality. It is not the purpose of Channel to provide an alternative to the criminal justice system for those who have been engaged in illegal activity. Channel is about early intervention to protect and divert people away from the risk they may face before illegality relating to terrorism occurs. Therefore, in line with other safeguarding processes, being referred to Channel will not lead to an individual receiving a criminal record as a consequence of the referral, nor as a result of any support they may receive through Channel.

### Vulnerability indicators

3.4 Channel assesses vulnerability using a consistently applied vulnerability assessment framework built around three dimensions. This section contains a summary of the framework.

3.5 The three dimensions are:

- **Engagement** with a group, cause or ideology;
- **Intent** to cause harm; and
- **Capability** to cause harm.

3.6 The dimensions are considered separately as experience has shown that it is possible to be engaged without intending to cause harm and that it is possible to intend to cause harm without being particularly engaged. Experience has also shown that it is possible to desist (stop intending to cause harm) without fully disengaging (remaining sympathetic to the cause); though losing sympathy with the cause (disengaging) will invariably result in desistance (loss of intent).

3.7 The three dimensions are assessed by considering 22 factors that can contribute to vulnerability (13 associated with engagement, 6 that relate to intent and 3 for capability). These factors taken together form a rounded view of the vulnerability of an individual that will inform decisions on whether an individual needs support and what kind of support package may be appropriate. These factors can also be added to and are not considered an exhaustive list. By undertaking regular vulnerability assessments the progress that is being made in supporting an individual can be tracked through changes in the assessment.

## Vulnerability

3.8 Completing a full assessment for all 22 factors requires thorough knowledge of the individual that may not be available at the point of the initial referral. However, there are a number of behaviours and other indicators that may indicate the presence of these factors. Example indicators that an individual is engaged with an extremist group, cause or ideology include:

- spending increasing time in the company of other suspected extremists;
- changing their style of dress or personal appearance to accord with the group;
- their day-to-day behaviour becoming increasingly centred around an extremist ideology, group or cause;
- loss of interest in other friends and activities not associated with the extremist ideology, group or cause;
- possession of material or symbols associated with an extremist cause (e.g. the swastika for far right groups);
- attempts to recruit others to the group/cause/ideology; or
- communications with others that suggest identification with a group/cause/ideology.

3.9 Example indicators that an individual has an intention to use violence or other illegal means include:

- clearly identifying another group as threatening what they stand for and blaming that group for all social or political ills;
- using insulting or derogatory names or labels for another group;
- speaking about the imminence of harm from the other group and the importance of action now;
- expressing attitudes that justify offending on behalf of the group, cause or ideology;
- condoning or supporting violence or harm towards others; or
- plotting or conspiring with others.

3.10 Example indicators that an individual is capable of contributing directly or indirectly to an act of terrorism include:

- having a history of violence;
- being criminally versatile and using criminal networks to support extremist goals;
- having occupational skills that can enable acts of terrorism (such as civil engineering, pharmacology or construction); or
- having technical expertise that can be deployed (e.g. IT skills, knowledge of chemicals, military training or survival skills).

3.11 The examples above are not exhaustive and vulnerability may manifest itself in other ways. There is no single route to terrorism nor is there a simple profile of those who become involved. For this reason, any attempt to derive a 'profile' can be misleading. It must not be assumed that these characteristics and experiences will necessarily lead to individuals becoming terrorists, or that these indicators are the only source of information required to make an appropriate assessment about vulnerability.

## Links with extremist groups

3.12 The *Prevent* strategy makes clear that Channel is about stopping people becoming terrorists or supporting terrorism. Where people holding extremist views appear to be attracted to or moving towards terrorism they clearly become relevant to Channel.

3.13 Association with organisations that are not proscribed<sup>2</sup> and that espouse extremist ideology as defined in the *Prevent* strategy is not, on its own, reason enough to justify a referral to the Channel process. If professionals at a local level determine that someone attracted to the ideology of such groups also exhibits additional behavioural indicators that suggest they are moving towards terrorism then it would be appropriate to make a referral to Channel. It would be the presence of additional behavioural indicators that would determine the suitability of the Channel process and not the simple fact they are associating with or attracted to a group that manifests extremist ideologies.

3.14 Association or support for a proscribed group is a criminal offence. It may be appropriate in some cases for individuals believed to be on the periphery of proscribed organisations to be referred to Channel. Professionals at a local level must consider whether a proscription offence has been committed before doing so. If there is evidence that a proscription offence has been committed this should be passed to the police.

## Identifying vulnerable people

3.15 All Channel police practitioners and local authorities should use their networks to highlight the importance of protecting those who are susceptible to being drawn into terrorism and to raise awareness about how Channel coordinators, practitioners and the local authority can offer support. They should develop effective links between those coming into contact with vulnerable individuals, such as the education sector; social services, children's and youth services, offender management services and credible community organisations. It is recommended that these organisations provide a single point of contact.

3.16 A tool for raising awareness of *Prevent* and how and when to support vulnerable people is available in the form of a two-hour workshop: the Workshop to Raise Awareness of *Prevent* (WRAP). The workshop is designed for all front line staff and can be rolled out across all sectors. More information can be found by e-mailing **WRAP@homeoffice.x.gsi.gov.uk**. There are specific WRAP products for the health; and higher and further education sectors.

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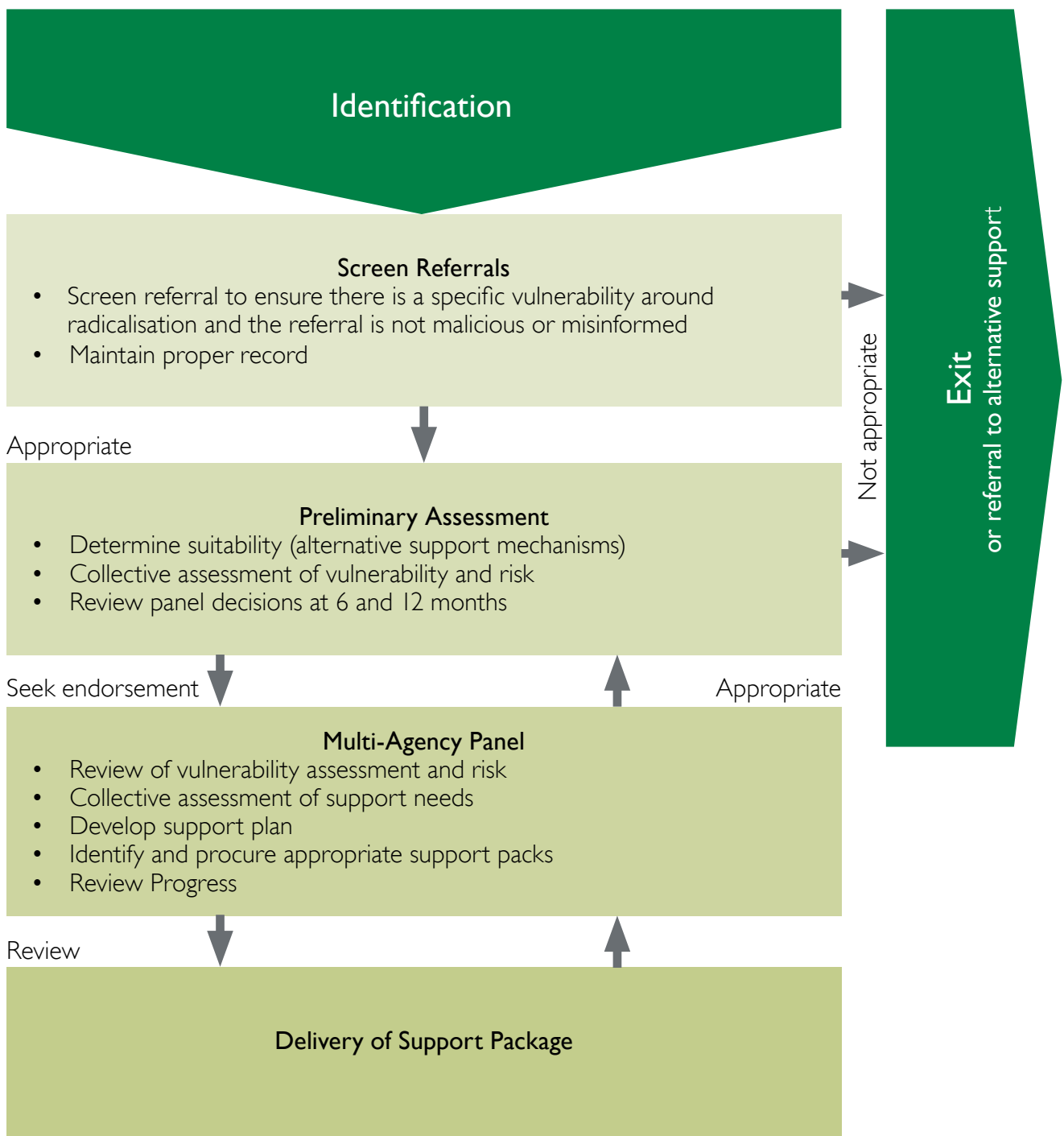
<sup>2</sup> A proscribed group is one that is outlawed in the UK and that it is illegal for it to operate here. The Terrorism Act 2000 makes it a criminal offence to belong to, support, or display support for a proscribed organisation. A list of proscribed groups can be found at: <http://www.homeoffice.gov.uk/publications/counter-terrorism/proscribed-terror-groups/>

3.17 Organisations who might be in a position to identify and then refer people vulnerable to being drawn into support for terrorism include:

- Police
- Schools, Colleges and Universities
- Youth Offending Services
- Children's Services
- Local Authority Safeguarding Managers
- Local Authority Trouble Family Teams
- Local Authority *Prevent* Leads
- Health services
- UK Border Agency
- UK Border Force
- Social workers
- Prisons
- Probation
- Local communities
- Voluntary groups
- Charities

## Part 4: The Channel process

4.1. This diagram shows the different stages within the Channel process:



## Screening referrals

4.2 Any referral received should initially be screened by the Channel police practitioner and their line manager. A referral should not continue through the Channel process if:

- it is malicious or misguided;
- it is clear the person is not vulnerable to being drawn into terrorism; or
- the person is being managed through Multi-Agency Public Protection Arrangements (MAPPA).

4.3 In many cases individuals are referred into the Channel process from front line practitioners within statutory agencies. Referrals can also come from the community or from the police.

4.4 On receipt of a referral Channel police practitioners must, using their professional judgement, make an initial assessment of its suitability for Channel. A review of the information available must show a concern that the individual is vulnerable to radicalisation.

4.5 If this link is not present the case should not be managed under Channel and should exit the process. If the initial information shows a vulnerability that is not related to radicalisation then the case is not suitable for Channel and should be signposted to other more appropriate support services. This will ensure that only those cases where there is a genuine vulnerability to being drawn into terrorism are processed through Channel.

4.6 All cases that progress through the Channel process will be subject to a thorough assessment of vulnerabilities in a multi-agency safeguarding environment.

4.7 The vulnerability indicators outlined in Part 3 can act as a general guide when assessing referrals. However, it must not be assumed that these characteristics and experiences will directly lead to individuals becoming terrorists or that these indicators are the only basis on which to make an appropriate decision at this stage.

4.8 It is important to ensure that good records are kept at all stages of the process. All information and decision making should be recorded throughout each stage of the process.

## Preliminary assessment

4.9 The preliminary assessment is led by the Channel police practitioner and will include their line manager and, if appropriate, senior statutory partners (such as the local authority, the police, Probation Trusts, children's and youth services and the education sector). It should be informed by multi-agency information gathering and can include consideration of an initial vulnerability assessment.

4.10 At this point partners should collectively assess the risk and decide whether the person:

- is vulnerable to being drawn into terrorism and therefore appropriate for Channel;
- should be referred to a different support mechanism; or
- should exit the process.

In assessing the risk, consideration should be given to:

- the risk the individual faces of being drawn into terrorism; and
- the risk the individual poses to society.



4.11 The preliminary assessment ensures that only cases appropriate for Channel continue to the next stage for a needs assessment and the development of an appropriate support package. A vulnerability assessment must be completed by the Channel police practitioner for all cases proceeding to the multi-agency panel.

4.12 In some cases a Channel referral will exit the process at this stage and be signposted to those support services most appropriate to their needs. This is because the information sharing between partner agencies will often reveal no evidence that the individual is at risk of being drawn into terrorism. It may identify other personal vulnerabilities which need to be addressed such as addiction to drugs or mental health issues.

4.13 The Channel process is not for people in custody. Individuals who are identified as vulnerable within prisons will be managed by the National Offender Management Service (NOMS) in partnership with the police. Where people are being released into the community and they are not subject to statutory supervision by probation trusts (those serving sentences under 12 months) NOMS, working with the Channel police practitioner, will consider whether the individual should be referred to the Channel process. Where appropriate, and with the agreement of NOMS and Channel, those delivering part of the support package may engage with the individual prior to release from custody and continue to work with them on release in the community.

4.14 If concerns are raised about an individual's vulnerability within custody the Prison Service will liaise with the relevant Probation Trust and it will be for the Trust Offender Manager to determine how best to manage the risk within the individual's ongoing sentence plan. The offender manager will make a decision whether to manage this vulnerability within the existing sentence plan or to refer the case to Channel. This also applies to cases where offenders who are subject to supervision through community orders are identified as being vulnerable to being drawn into terrorism.

#### **Multi-Agency Public Protection Arrangements (MAPPA):**

<http://www.justice.gov.uk/offenders/multi-agency-public-protection-arrangements>

The Criminal Justice Act (2003) places a duty on the Responsible Authority – Police, Probation and Prison services – to ensure that MAPPA are established in their area for the assessment and management of risk of all identified MAPPA offenders (see MAPPA Guidance 2012; <http://www.justice.gov.uk/downloads/offenders/mappa/mappa-guidance-2012-part1.pdf>). These three organisations work together to put robust arrangements in place to manage people who pose a serious risk of harm to others on their release from custody. Close involvement of other partner agencies such as social services, local authority housing, health services and youth offending teams assist in the process. Once an offender has been referred into MAPPA, it is the responsibility of the MAPPA agencies to undertake a rigorous risk assessment and construct a risk management plan to minimise the potential danger an offender poses.

4.15 Multi-Agency Public Protection Arrangements (MAPPA) is reserved for those who present the highest risk of harm in their local community. Most people are managed within MAPPA because of the nature of their offending. In some cases agencies may determine that an individual's vulnerability is such that it is best managed through the MAPPA process. Where this is the case MAPPA can, if necessary, seek the advice of the Channel police practitioner. However, the case will remain MAPPA and will not be adopted as Channel.

4.16 Where an individual is no longer managed under MAPPA and/or subject to statutory supervision by the local Probation Trust and subsequently becomes vulnerable to being drawn into or attracted to terrorist-related activity, the individual should be assessed and considered for support under the Channel process. Where there has been previous contact with partner agencies, information should be sought from them to ensure the most effective support is put in place.

4.17 If the referred individual is under the age of 18, or where the local authority has a legal duty of care, the Channel police practitioner must coordinate with the local authority child assessment framework or social care office in Children and Young People's Services. For referrals of children and young people statutory arrangements for safeguarding children must take precedence.

4.18 If a referral under the age of 18 is being managed through a multi-agency meeting, for example under a statutory arrangement for safeguarding children, then this case should still be adopted under the Channel process in the usual way with the Channel police practitioner fully embedded and supporting the safeguarding process. This will result in all associated risks being appropriately managed and ensure all cases are subject to a thorough vulnerability assessment procedure.

### Multi-agency panel

4.19 Following the preliminary assessment and confirmation that the case is appropriate to continue through Channel, the referral should pass to the multi-agency panel.

4.20 The multi-agency panel using their professional expertise will develop a support package. This will be based on a review of the vulnerability assessment completed by the Channel police practitioner at the preliminary assessment stage, the needs of the individual and any risks posed to potential support providers.

4.21 Multi-agency panel members should consider sharing any further information with each other for the purposes of Channel, subject to a case-by-case assessment of necessity, proportionality and lawfulness. Wherever possible, the informed consent of the individual should be obtained (set out in part 2).

4.22 The panel may conclude that the individual is better suited to alternative support mechanisms or that further assessment indicates that the individual is not vulnerable to being drawn into terrorism. In such cases the Chair of the panel is responsible for confirming the recommendation and ensuring that the decision is properly recorded.

4.23 All cases exiting Channel at this stage should be reviewed at 6 months and 12 months, from the point at which they exit the process, by senior managers.

4.24 If the panel consider that support to reduce vulnerability of being drawn into terrorist-related activity is required, they should devise an appropriate support package. This should take the form of a support plan setting out details of the statutory or community partners who will lead on delivery of the support (set out in part 5). Consideration must also be given to potential risks posed to the provider of any support package. The action plan should highlight identified behaviours and risks that need to be addressed. This will assist in case reviews and evaluating the effectiveness of the support package. All decisions should be properly recorded.

**Risk** is a theme that runs through the entire Channel process: risk to the individual; risk to the public; and risk to statutory partners and any intervention providers.

**The safeguarding risk:** ownership of this risk lies with the multi-agency Channel panel. This is the risk to an individual as a result of their vulnerability. The multi-agency panel is where the full range of an individual's vulnerability factors should be reviewed and addressed. The Chair of the panel is responsible for ensuring that any safeguarding risks are referred to the most appropriate agencies for action; until this happens the Channel panel owns these risks. The support for some individuals will span several agencies; each agency involved will own the element of risk they are responsible for addressing through the support plan. Safeguarding legislation places a duty on all relevant public bodies to support and promote the welfare of children, young people and adults who may be vulnerable to harm or exploitation.

**The risk of involvement in terrorism:** ownership of this risk lies with the police. This is the risk posed by the individual to themselves and society through their potential active involvement in criminality associated with terrorism. The police are the most appropriate agency throughout the entire life of each Channel case to assess and manage this risk.

## Part 5: Developing support packages

5.1. This section provides guidance for the Channel police practitioner and the multi-agency panel on developing a support package for those individuals identified as vulnerable to being drawn into terrorism.

5.2. The multi-agency panel should use the vulnerability assessment and their professional expertise to identify the individual's particular vulnerabilities that require support. They should use their knowledge of the full range of services that are available locally to agree on a package of support to address those specific vulnerabilities.

5.3. As part of agreeing a full wrap-around package of support the panel must decide how to connect the vulnerable individual with the support providers. The level of information shared with and about the individual to enable effective assessment should be determined on a case-by-case basis and is governed by legislation, the details of which are set out in Annex A. As part of this, the panel must comply with the European Convention on Human Rights including Article 8 which respects the right to privacy of the individual. Therefore, all individuals receiving Channel support must be aware that they are receiving support as part of a programme to protect people from radicalisation and that as part of the scheme information about them will be shared with multi-agency partners, including the police. All decision-making should be clearly documented and in line with the guidance on the sharing of information which is set out in Annex A.

5.4. The type of activities that are included in a support package will depend on risk, vulnerability and local resource. To illustrate, a diversionary activity may be sufficient for someone who is in the early stages of radicalisation whereas a more focussed and structured one-on-one mentoring programme may be required for those who are already radicalised. The following kinds of support might be considered appropriate:

- **Life skills** – work on life skills or social skills generally, such as dealing with peer pressure;
- **Mentoring support contact** – work with a suitable adult as a role model or providing personal guidance, including guidance addressing extremist ideologies;
- **Anger management session** – formal or informal work dealing with anger;
- **Cognitive/behavioural contact** – cognitive behavioural therapies and general work on attitudes and behaviours;
- **Constructive pursuits** – supervised or managed constructive leisure activities;
- **Education skills contact** – activities focused on education or training;
- **Careers contact** – activities focused on employment;
- **Family support contact** – activities aimed at supporting family and personal relationships, including formal parenting programmes;
- **Health awareness contact** – work aimed at assessing or addressing any physical or mental health issues;
- **Housing support contact** – activities addressing living arrangements, accommodation provision or neighbourhood; and
- **Drugs and alcohol awareness** – substance misuse interventions.

5.5. Providers of support can include statutory and community partners. The multi-agency panel is collectively responsible for ensuring delivery of the overall package of support but not for managing or funding the support providers. Where support is provided by a statutory partner they should be represented at the multi-agency panel and are responsible for the delivery of that element of the overall support package; funding for the support should be met from within their existing budgets. Where support is provided by a community partner the Channel police practitioner is responsible for liaison with the support provider and is responsible for funding and monitoring the delivery of that element of the support package.

5.6. Community or non-statutory partners providing support to vulnerable people need to be credible with the vulnerable individual concerned and to understand the local community. They have an important role and their reliability, suitability to work with vulnerable people and commitment to shared values needs to be established. Multi-agency panels should make the necessary checks to be assured of the suitability of support providers; including Criminal Records Bureau Disclosures for those seeking to work with young people and vulnerable adults.

## Part 6: Appraisal and monitoring

- 6.1. The Channel police practitioner is responsible for regularly liaising with the support provider(s), updating the vulnerability assessment and for assessing progress with the multi-agency panel. Individuals receiving support should be reassessed at least every 3 months to ensure that the progress being made in supporting the individual is being captured. If necessary, they can be reassessed more frequently to inform a key panel meeting or because the provision of support has reached a particular milestone.
- 6.2. If the panel is satisfied that the risk has been successfully reduced or managed they should recommend that the case exits the process. A closing report should be completed as soon as possible setting out the reason for the panel's recommendations. The recommendations will need to be endorsed by the Chair of the panel and a senior manager within the police.
- 6.3. If the panel is not satisfied that the risk has been reduced or managed the case should be reconsidered. A new support plan should be developed and alternative support put in place. If the risk of criminality relating to terrorism has increased the Channel police practitioner must consider escalating the case through existing police mechanisms and whether the case remains suitable for the Channel process.
- 6.4. All cases should be reviewed at 6 and 12 months, from the point at which they exit the process, using the vulnerability assessment framework. All decisions and actions should be fully recorded.

## Annex A: Sharing information with partners

### Principles of information sharing

1. Effective information sharing is key to the delivery of Prevent, so that partners are able to take appropriately informed action. This will sometimes require the sharing of personal information between partners; this is particularly the case for Objective 2 of the Prevent strategy, protecting vulnerable people, where sharing of information will be central to providing the best support to vulnerable individuals.

#### Key Principle:

Partners may consider sharing personal information with each other for *Prevent* purposes, subject to a case-by-case assessment which considers whether the informed consent of the individual can be obtained and the proposed sharing being necessary, proportionate and lawful.

2. Any sharing of personal or sensitive personal data should be considered carefully, particularly where the consent of the individual is not to be obtained. The legal framework within which public sector data sharing takes place is often complex, although there is a significant amount of guidance available. It is considered good practice to have an Information Sharing Agreement in place at a local level to facilitate the sharing of information. In addition to satisfying the legal and policy requirements (see below), there are some principles which should guide *Prevent* information sharing.

## Necessary and proportionate

3. The overriding principles are necessity and proportionality. It should be confirmed by those holding information that to conduct the work in question it is necessary to share the information they hold. Only the information required to have the desired outcome should be shared, and only to those partners necessary. Key to determining the necessity and proportionality of sharing information will be the professional judgement of the risks to an individual or the public. Consideration should also be given to whether discussion of a case is possible with anonymised information, for example, referring to “the young person” without the need to give the individual’s name, address or any other information which might identify them.

4. Each case should be judged on its own merit, and the following questions should be considered when sharing information:

- what information you are intending to pass;
- to whom you are intending to pass the information;
- why you are intending to pass the information (i.e. with what expected outcome); and
- the legal basis on which the information is to be passed.

## Consent

5. The default should be to consider seeking the consent of the individual to share information. There will, of course, be circumstances in which seeking the consent of the individual will not be possible, because it will prejudice delivery of the intended outcome, and there may be gateways or exemptions which permit sharing to take place without consent. If you cannot seek or obtain consent, or consent is refused, you cannot share personal information without satisfying one of the gateway or exemption conditions. Compliance with the Data Protection Act (DPA) and Human Rights Act (HRA) are significantly simplified by having the subject’s consent. The Information Commissioner has indicated that consent should be informed and unambiguous, particularly in the case of sensitive personal information. If consent is sought, the individual should understand how their information will be used, and for what purpose.

## Power to share

6. The sharing of data by public sector bodies requires the existence of a power to do so, in addition to satisfying the requirements of the DPA, the HRA and the common law duty of confidentiality. Some statutes confer an express power to share information for a particular purpose (such as section 115 of the Crime and Disorder Act 1998). More often, however, it will be possible to imply a power to share information because it is necessary for the fulfilment of an organisation’s statutory functions. The power to share information arises only as a consequence of an organisation having the power to carry out an action which is dependent on the sharing of information.

7. Having established a power to share information, it should be confirmed that there are no bars to sharing information, either because of a duty of confidentiality or because of the right to privacy enshrined in Article 8 of the European Convention on Human Rights. Finally, it will also be necessary to ensure compliance with the DPA, either by meeting the processing conditions in Schedules 2 and 3, or by relying on one of the exemptions (such as section 29 for the prevention of crime). Further details of the overarching legislation and some potentially relevant gateways are set out below.



8. Where non-public bodies (such as community organisations) are involved in delivery of *Prevent* work, there may be a need to pass personal and sensitive information to them and the approach to information sharing should be the same – that it is necessary, proportionate and lawful. In engaging with non-public bodies to the extent of providing personal information, it is good practice to ensure that they are aware of their own responsibilities under the DPA.

## Legislation and guidance relevant to information sharing

Although not an exhaustive list, the following acts and statutory instruments may be relevant. The original legislation can be found at the Legislation Database (<http://legislation.gov.uk/>).

### Legislation

#### Data Protection Act (DPA) 1998

The DPA is the principal legislation governing the process (including collection, storage and disclosure) of data relating to individuals. The Act defines personal data (as information by which an individual can be identified (either on its own or with other information)) and sensitive personal data (including information about an individual's health, criminal record, and political or religious views), and the circumstances in and extent to which they can be processed. The Act also details the rights of data subjects.

All of the eight Data Protection Principles (which are listed in Part 1 of Schedule 1 to the Act) must be complied with when sharing personal data but the first data protection principle is particularly relevant. The first data protection principle states that personal data shall be processed: (1) fairly, (2) lawfully (meaning that there is the power to share and other statutory and common law obligations must be complied with), and (3) only if a condition in Schedule 2 and, if sensitive personal data is involved, Schedule 3 is met. All three of these requirements must be met to comply with the first data protection principle. The DPA cannot render lawful any processing which would otherwise be unlawful. If compliance with the Data Protection Principles is not possible, then one of the exemptions (such as the prevention of crime under section 29 of the DPA) may apply.

#### Data Protection (Processing of Sensitive Personal Data) Order 2000

This statutory instrument (SI 2000/417) specifies further conditions under which sensitive personal information can be processed, including conditions where the processing must necessarily be carried out without the explicit consent of the data subject. Of particular relevance to *Prevent* are paragraph 1 (for the purposes of prevention or detection of crime), and paragraph 4 (for the discharge of any function which is designed for the provision of confidential counselling, advice, support or any other service). The first data principle states that personal data shall be processed fairly and lawfully, meaning that other statutory and common law obligations must be complied with, and that the DPA cannot render lawful any processing which would otherwise be unlawful. Schedules 2 and 3 of the Act provide the conditions necessary to fulfil the requirements of the first principle.

#### Human Rights Act (HRA) 1998

Article 8 of the European Convention on Human Rights (which is given effect by the HRA) provides that “everyone has the right to respect for his private and family life, his home and his correspondence”, and that public authorities shall not interfere with “the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others”.

## **Common Law Duty of Confidentiality**

The key principle built up from case law is that information confided should not be used or disclosed further, except as originally understood by the confider, or with their subsequent permission. Case law has established that exceptions can exist “in the public interest”; confidentiality can also be overridden or set aside by legislation.

The Department of Health have produced a code of conduct concerning confidentiality, which is required practice for those working within or under contract to NHS organisations.

## **Gateways, exemptions and explicit powers**

### **Crime and Disorder Act (CDA) 1998**

Section 115 confers a power to disclose information to a “relevant authority” on any person who would not otherwise have such a power, where the disclosure is necessary or expedient for the purposes of any provision of the Act. The “relevant authority” includes a chief officer of police in England, Wales or Scotland, a police authority, a local authority, a health authority, a social landlord or a probation board in England and Wales. It also includes an individual acting on behalf of the relevant authority. The purposes of the CDA include, under section 17, a duty for the relevant authorities to do all that they reasonably can to prevent crime and disorder in their area.

### **Common Law Powers**

Because the range of partners with whom the police deal has grown – including the public, private and voluntary sectors, there may not be either an implied or explicit statutory power to share information in every circumstance. This does not necessarily mean that police cannot share the information, because it is often possible to use the Common Law. The decision to share using Common Law will be based on establishing a policing purpose for the activity that the information sharing will support, as well as an assessment of any risk.

The Code of Practice on the Management of Police Information (MOPI) defines policing purposes as: protecting life and property, preserving order, preventing the commission of offences, bringing offenders to justice, and any duty or responsibility of the police arising from common or statute law.

### **Local Government Act 1972**

Section 111 provides for local authorities to have “power to do any thing...which is calculated to facilitate, or is conducive or incidental to, the discharge of any of their functions”.

### **Local Government Act 2000**

Section 2(1) provides that every local authority shall have the power to do anything which they consider is likely to achieve the promotion or improvement of the economic, social or environmental wellbeing of the area.

## **National Health Service Act (NHS Act) 2006 and Health and Social Care Act (HSCA) 2001**

Section 251 of the NHS Act and Section 60 of the HSCA provides a power for the Secretary of State to make regulations governing the processing of patient information.

## **Offender Management Act (OMA) 2007**

Section 14 of the OMA enables disclosure of information to or from providers of probation services, by or to Government departments, local authorities, Youth Justice Board, Parole Board, chief officers of police and relevant contractors, where the disclosure is for the probation purposes (as defined in section 1 of the Act) or other purposes connected with the management of offenders.

## **Existing guidance**

Information Sharing – Guidance for Practitioners

<http://www.education.gov.uk/publications/standard/Integratedworking/Page1/DCSF-00807-2008>

Public Sector Data Sharing Guidance on the Law.

<http://www.dca.gov.uk/foi/sharing/toolkit/lawguide.pdf>

Information Commissioners Office Guidance on Interpretation of the DPA

[http://www.ico.gov.uk/for\\_organisations/data\\_protection/the\\_guide.aspx](http://www.ico.gov.uk/for_organisations/data_protection/the_guide.aspx)

Confidentiality code of Practice link:

[http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH\\_4069253](http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_4069253)

Caldicott Guardian Manual:

[http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH\\_114509](http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_114509)

## Annex B: Freedom of Information

**All local areas need to have in place, or access to, arrangements to support those vulnerable to being drawn in to terrorism. It is advised that all local areas and police forces follow the recommended approach to dealing with Freedom of Information (FOI) requests.**

All recorded information held by a public authority is covered by the right to information under the FOI Act. Within the act there is a presumption in favour of disclosure to enhance greater openness in the public sector and thus enable members of the public to better understand the decisions of public authorities and ensure that services provided by the public sector are seen to be efficiently and properly delivered. We want, as far as possible, to be open and transparent about the Channel process.

The Act recommends that it is good practice to consider the implications of the release of the information on third parties when complying with FOI legislation. In the context of Channel third parties may include local and national delivery partners and referred individuals. The section 45 Code of Practice of the FOI Act facilitates consideration by public authorities of the interests of third parties and stakeholders who may be affected by any decision to disclose information by setting standards for consultation. All public authority partners involved in Channel may be subject to FOI requests. If an FOI request is made all information will need to be assessed against FOI legislation to see if it is disclosable or not. All requests for the release of information held must be assessed on a case-by-case basis.

### Police Forces

ACPO FOI Central Referral Unit is a department that facilitates the dissemination of guidance and advice in relation to FOI requests received by the police. There are existing protocols between ACPO FOI Central Referral Unit and individual force FOI departments. In line with established good practice, all FOI requests received by a police force, regarding Channel should be forwarded to the relevant police force FOI department. They will liaise with the ACPO FOI Central Referral Unit who will coordinate a response.

### Partners

To achieve a consistent approach in responding to FOI requests, and to protect third parties, all local partners who receive an FOI request should notify the local Channel coordinator. The coordinator is responsible for the management and maintenance of information related to Channel cases and will be responsible for consulting with the ACPO FOI Central Referral Unit or the National *Prevent* Delivery Unit (ACPO); they will advise if any further consultation is necessary, for example, with central government departments.

## Key FOI Police Contacts:

ACPO TAM *Prevent* Delivery Unit

**prevent@acpo.pnn.police.uk**  
020 7084 8711

ACPO FOI Central Referral Unit

**acpo.advice@foi.pnn.police.uk**  
0844 8929 010

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Any enquiries regarding this publication should be sent to us at: [public.enquiries@homeoffice.gsi.gov.uk](mailto:public.enquiries@homeoffice.gsi.gov.uk)

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