

CCG Prevent Duty Responsibilities



Defining the CCG Responsibilities with Relation to Prevent

Counter Terrorism and Security Act

The Counter Terrorism and Security Act (CT Act) was passed into legislation in early 2015, with different elements of the Act becoming statutory duties at slightly differing times.

The CT Act covers all aspects of the CONTEST strategy including Prevent, Prepare, Protect and Pursue.

The New Duties Explained

Prevent Duty

The Prevent Duty is effective as of 1st July 2015.

The Prevent Duty provides definitions and context regarding Prevent, details regarding monitoring and enforcement and sector specific guidance.

The authorities specified in the guidance are: Local Authorities, schools and registered childcare providers, further education colleges, independent providers that are eligible to receive public funding to deliver education, Sixth Form Colleges, private further education institutions that have at least 250 students, universities, NHS Trusts and Foundation Trusts, prisons and Youth Offending Institutions, under-18 secure estate, secure training centres, National Probation Service, Community Rehabilitation Companies and police forces including the British Transport Police.

The key responsibilities applicable to all specified authorities are:

Leadership: develop mechanisms to understand the risk, ensure staff understand the risk and have capacity to deal with it, promote the duty and ensure staff implement the duty.

Partnership: demonstrated partnership working particularly with Prevent Co-ordinators, Local Authorities and Police, via multi-agency forums already in place, such as the Community Safety Partnerships.

Capabilities: ensure front line staff are trained to understand radicalisation and vulnerabilities, know the supports available and how people can access these supports.

The key responsibilities specific to health are:

Partnership: Regional Safeguarding Forums should have oversight of compliance with the duty. Issues should be reported to the National Prevent sub board and Prevent leads should have networks in place for advice and support to make referrals to Channel. Contractual requirements should be bolstered by the statutory duty.

Risk Assessment: all Trusts should have a Prevent lead who acts as a single point of contact for Prevent co-ordinators and are responsible for implementing Prevent

within their organisation. To comply with the duty staff are expected to be able to recognise and refer people at risk.

Staff Training: ensure staff are trained at the relevant competency for their role, the intercollegiate guidance Safeguarding Children and Young people: roles and competencies for health care staff and the NHS England Training and Competencies Framework provide guidance regarding the training requirements.

Monitoring and enforcement: the duty stated that Monitor, TDA and CQC as the sector regulators will provide monitoring arrangements; however the robustness of these arrangements is being reviewed.

Channel Duty

The Channel Duty came into effect in May 2015. The duty aims to provide guidance for Channel panels and partners on Channel delivery.

The guidance provides detail regarding Prevent and Safeguarding as it is relevant to Channel.

Requirements of Panels:

The duty outlines that Channel panels are required to be chaired by the responsible local authority and that police are also required members, both partners have principle responsibility for Channel in their area.

The NHS is a suggested representative of panels along with a number of other partner organisations including Schools, probation, local authority Troubled Families Teams, Youth offending services and others.

The guidance stipulates that where a child known to social services or a child at risk of significant harm is discussed, the social worker relevant to the area should be present.

Local authorities can decide to run joint panels with other local authorities, as long as the combined panel is fit for purpose, has representatives from each local authority relevant to a referral and police representatives from each local authority.

Channel Panel Roles:

The Channel Police Practitioner is responsible for co-ordinating Channel in their area, this includes managing referrals, ensuring referrals are dealt with swiftly and managing any risk associated with individual's potential involvement in terror-related activity.

The Channel Panel Chair is responsible for having oversight of all cases, ensuring appropriate representatives are invited to each meeting, establishing effective relationships to ensure effective information sharing, establishing the appropriate support plan for individuals, identifying the risks of individuals being drawn into terrorism and referring to the appropriate agencies for support, ensuring individuals/organisations on the panel carry out their element of the support plan. Panel Members are essential to ensure vulnerable individuals have access to relevant support.

The Duty as it Applies to CCGs

CCGs are not specifically captured in either the Prevent or the Channel Duty, however they have responsibilities as result of their role within the health system.

Contract and Performance Management

As commissioners of services from NHS Trusts and Foundation Trusts named in the Prevent duty and contract holders of a number of health organisations utilising the NHS Standard Contract, CCGs have a responsibility provide oversight and performance management regarding implementation of the Prevent duty within provider organisations.

As Statutory partners of Safeguarding Boards for both adults and children, CCGs are among the organisations that need to provide oversight to the implementation of the duty in the system.

As part of the NHS CCG Assurance Framework, CCGs are required to ensure they are demonstrating they are a well led organisation, including meeting statutory requirements places upon them and that they are meeting NHS performance requirements, including safeguarding standards. NHS England will seek assurance from CCGs regarding how they undertake these duties and fulfil their requirements.

Key Considerations for monitoring provider performance

- Are providers meeting the training requirements in the NHS Training and Competencies Framework? Prevent awareness in line with Safeguarding levels 1 and 2 and 85% WRAP 3 for relevant staff.
- Do Providers have policies and procedures in place?
- Are providers identifying Prevent concerns and making channel referrals?
- Are providers engage with Channel Panel when relevant?

Governance Oversight

CCGs will need to ensure they have in place robust governance systems that provide both internal and wider system assurance that the statutory duties are being implemented and organisations are meeting their requirements to safeguard individuals at risk or radicalisation.

Partnership Working

As partners to Chanel panels, CCGs can facilitate information sharing to ensure all relevant health partners are both providing relevant input into panel and that panel is sharing information to assist partners mange and support patients.

CCGs as the commissioners of health services for their local population are also well placed to provide advice to panel members regarding the health partners that should be bought into discussions and the health services that are available that may be appropriate to an individual's support package.

There is no statutory requirement for CCGs to engage with partners in local Prevent forums, to feed into Counter Terrorism Local Profiles and to work with health partners regarding Prevent. However, in order to have governance and oversight regarding

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provider performance, NHS engagement in Channel Panel and local risks and strategies it is strongly recommended that CCGs engage in these local partnerships.

CCG Internal Training

In order to undertake the responsibilities as outlined above CCGs and individual staff within the CCG will need to understand what prevent is, how it impacts the organisation and how it applied to different job roles.

Consideration should be given too:

- Providing returns for NHS England and providing assurance via the assurance framework.
- Contract management of providers and seeking assurance they are meeting their statutory requirements.
- Governance and strategic over view, what are the groups and boards that will provide this, and who will the CCG board assure themselves of system compliance with the duties.
- Linking contracts and commissioning teams, is Prevent part of the quality schedule?
- Including Prevent in HR policies and procedures, giving consideration to NHS employees.
- Ensuring Prevent is linked to both adults and children's safeguarding
- Considering Prevent in quality and safety, including serious incidents and complaints.

Prevent in the NHS Standard Contract

The NHS Standard Contract 2015/16 outlines specific Prevent requirements under the Safeguarding and Safety section specifically SC32 Safeguarding, Mental Capacity and Prevent.

The requirements set out in the contract are generally in line with those detailed in the Prevent Duty. Which include:

- Protecting individuals from abuse and improper treatment.
- Nominating a Prevent Lead.
- Developing a Prevent Policy and Procedure.

In addition the NHS Standard Contract requires commissioned services to;

- Provide evidence of addressing any Safeguarding concerns through multiagency reporting systems, which would include Prevent concerns.
- If requested participate in the development of local multi-agency safeguarding quality indicators and/or plan.
- Include in the Prevent Policy and Procedures a programme to raise awareness of Prevent as per the NHS England Prevent Training and Competencies.
- Include in the Prevent Policy and Procedures a WRAP delivery plan.

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Further Information:

Prevent Duty:

<https://www.gov.uk/government/publications/prevent-duty-guidance>

Channel Duty

<https://www.gov.uk/government/publications/channel-guidance>

NHS England Prevent Training and Competencies Framework:

<http://www.england.nhs.uk/wp-content/uploads/2015/02/train-competnc-frmwrk.pdf>

Building Partnerships Staying Safe

<https://www.gov.uk/government/publications/building-partnerships-staying-safe-guidance-for-healthcare-organisations>

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