

HEFCE Prevent monitoring return 2016-17

Report prepared by: Katharine Bock, Deputy College Secretary

Action required: Governors are asked to consider the annual report on compliance with the Prevent duty and agree that it can be forwarded to HEFCE.

Audit Committee has also considered this report and recommends to Governors that the assurance return can be signed off.

- 1 University governing bodies are responsible, under the Counterterrorism and Security Act 2015, for preventing people from being drawn into terrorism. HEFCE is responsible for assuring Higher Education provider compliance with the requirements of the CTSA.
- 2 HEFCE's Prevent monitoring framework includes a requirement for an annual report which includes a short narrative document, a data return and a declaration of assurance to be signed by the Chair of the Governing Body.
- 3 The draft report, covering the period 1 August 2016 to 31 July 2017, is attached. It is due to be submitted to HEFCE by 1 December.

Annual report on compliance with the Prevent duty

- 1 This report provides an update on activities since the last report, made in November 2016. It covers the period 31 July 2016 to 1 August 2017.

Context

- 2 Last year, the College agreed revised policies and procedures on Freedom of Speech and external speakers; and new policies and procedures for Safeguarding. This year we implemented and embedded these policies, conducted equality impact assessments on them, and reported to our Academic Board on their first year of operation.
- 3 We have not experienced any serious incidents or changes to policy or operating context.

Outstanding actions from previous submissions

- 4 We were not required to take any actions following last year's submission, when HEFCE officers confirmed there were no concerns about the way in which Birkbeck is implementing the Prevent duty.
- 5 In our report for last year, we noted several areas for further work:
 - To finalise and deliver the training plan
 - To raise staff and student awareness of the Safeguarding procedures
 - To evaluate the Safeguarding and Free Speech procedures during their first year of operation and conduct Equality Impact Assessments
 - To review procedures for security and media liaison for high profile events.
 - To engage more with the Students' Union, once it has completed its current review and restructuring process.

Risk assessment and action plan

- 6 The College Prevent working group (see below) reviewed the risk assessment and action plan in September 2016 and will continue to review it annually, or more often if needed.
- 7 At the September 2016 review, the top risks identified were of harm or distress to individuals, mitigated by the introduction of a safeguarding policy and procedures, and the expression of illegal views together with restricted ability to exercise freedom of thought and expression, both mitigated by a revised Freedom of Speech and external speaker policy and procedures.
- 8 The working group was satisfied that these risks are being successfully managed with these mitigations in place and that other risks, including inappropriate use of IT facilities, disruption from external events and reputation management, are also being effectively managed. The working group did not make any substantial changes to the

risk register and action plan, except to reduce the net risk assessment of the top risks, reflecting agreement of the safeguarding and free speech policies. It will review the risk register and action plan annually.

- 9 The College risk register is also updated annually through the Risk Management Group, which has four members who are also on the Prevent Working Group, allowing for cross-reference. Among our top College risks, evaluation of how we meet the needs of the changing student body, provide effective student support services and deliver IT security have all been informed by consideration of Prevent related risks.

Partnership and leadership

- 10 The College Prevent working group includes the Vice Master, Deputy College Secretary, Academic Registrar, Directors of Facilities and Estates, Commercial Services, Human Resources and IT Services and the Students' Union Development Manager. It meets regularly, to review the risk assessment and monitor progress on the action plan. It also reviewed and agreed a draft of this report. The College Audit Committee and Governing Body have also reviewed and agreed this report.
- 11 Members of the Prevent working group have met several times with our local DFE Prevent contact over the year. In October 2016 he delivered a workshop for the senior management team of the College, based on the Workshop to Raise Awareness of Prevent material, and in May 2017 he delivered a similar workshop for Birkbeck Governors, in a joint event at which our in-house team also delivered a workshop on Unconscious Bias.
- 12 We liaise with our neighbour institutions on the University of London Bloomsbury precinct on a range of security and event issues including Prevent related matters. The Heads of Administration, and the Heads of Facilities Management of our institutions are in regular contact. We are also a member of the HE Prevent Network and attend their meetings.

Active and effective implementation of Prevent related policies

- 13 In 2015-16 we put considerable effort and resource into drafting Freedom of Speech and Safeguarding policies that would both meet the requirements of the Prevent duty and satisfy the expectations of our staff that we promote freedom of thought and expression. As we noted last year, Birkbeck College has a longstanding commitment to free, robust, and uninhibited debate and deliberation among all members of the College's community. Since its foundation in 1823 its mission has been to ensure 'the universal benefits of the blessings of knowledge', and throughout its history this has involved critical interrogation of accepted orthodoxies and the power relations in which they are implicated. The Free Speech and Safeguarding policies and procedures were debated with rigour and at length in our academic committees with staff and students present and were reviewed by our professional legal advisers to ensure compliance. As a consequence the policies and procedures were well known by the time they were formally agreed by our governing body in June 2016.

- 14 In September 2016 we built on this by launching a [website](#) supporting safeguarding, where the formal policy appears along with guidance and information, to raise awareness for all staff and assist staff who may be dealing with concerns about individuals. In December 2016 we held a talk for staff to further raise awareness about safeguarding, and posted the video recording of it on the website. We also created a [website](#) bringing together all our Prevent related policies including free speech, safeguarding, computer use regulations, links to online training material and expectations for use of the Prayer Room facility.
- 15 In June 2017 we reported to our Academic Board on the impact of the first year of the Freedom of Speech and Safeguarding policies. The report is attached. As it notes, we have managed several safeguarding issues including liaison with external agencies. We have not made any Channel referrals. We have not needed to hold a full Free Speech Panel, which only convenes when there is a possibility that we cannot accommodate an external speaker. Members of the Prevent working group have considered several requests to accommodate external speakers and, having received information about the speakers, taken advice from our Prevent adviser and evaluated the risks involved, have not needed to refer anything to the Free Speech Panel.
- 16 We do not have our own chaplaincy service, but we post details of the University of London chaplaincy service, which is for all University of London students including those at Birkbeck, on our website and outside the Prayer Room.

Staff training

- 17 As noted in the sections above, we have held awareness events for staff and Governors and created websites to raise awareness among staff. We also continue with our approach of training the front line staff who work in our reception areas, with WRAP workshops. We have linked to several LFHE staff development modules including an introduction to Prevent, Freedom of Speech and Academic Freedom and Safeguarding, Pastoral Care and Student Support and will be reviewing the recently updated LFHE packages.
- 18 We also delivered staff development sessions on the room booking procedures after they were revised to incorporate risk assessment and information on external speakers. These were aimed at staff who organise events. As well as introducing new requirements for information on external speakers, we needed to raise awareness of health and safety matters, to ensure organisers were booking and setting up suitable spaces for their events, and the training incorporated both matters. At the outset staff had some concerns that the room booking procedure had become unreasonably complicated, but this has settled as people become used to the new procedure.

Student engagement

- 19 Over the year our students' union, which has been in serious difficulties, was managed by a Turnaround Board and restructured. A new Development Manager was appointed in spring 2017 and he has appointed a new team. He has been co-opted onto the Prevent working group. In the coming year the Students' Union

plans to re-launch the student representative framework and activities, at which point we will be able to engage with student representatives on safeguarding, free speech and other related matters.

Annex A

Implementation of the Safeguarding and Free Speech Policy and Procedure

Background

In June 2016, Academic Board approved a revised Policy on Free Speech to comply with the HEFCE requirement of the Counter Terrorism and Security Act known in the sector as Prevent. The Safeguarding Policy and Procedure was also approved to support vulnerable students on campus. There was significant informal and formal consultation during which it was confirmed that the Free Speech policy met statutory and legal requirements but went no further. It was agreed that a review of these policies would be conducted after one year of operation.

Academic Board is asked to note this implementation report.

Implementation

During the past 12 months there have been no concerns raised by students, academic or professional services staff with the implementation of the Free Speech Policy and Procedure or the Safeguarding Policy. Room bookings continue to enable internal and external events on campus and over 12 months no events have been refused. The process for room bookings continues to evolve following operational feedback from across the College

Free Speech Policy and Procedure

Issues relating directly or indirectly to free speech on campus are as follows:

- There have been no Free speech panels held and no referrals to Channel or Prevent.
- In May 2017 the Academic Registrar referred a copy of a poster found on the 4th floor of the Malet Street building to our police liaison officer for guidance. The poster included text that breached the College Principles for Dignity at Study and Work. No evidence was available as to who put it there and no action has been taken other than the police asked London to 'be vigilant' of specific groups operating in London.
- In May 2017 the Master agreed to suspend a student on the recommendation of the Academic Registrar. The student made inflammatory comments relating to the holocaust that breached College Principles of Dignity at Work and Study. The comments were shared 12,000 times on social media and created a tense situation whereby the student's presence on campus (who was on a break of studies at the time) was to the detriment of good campus relations. The Metropolitan Police are currently investigating this incident given the visibility of the comments across social media and the proximity of them to Birkbeck. An investigation is underway under the Code of Student Discipline.

Safeguarding Policy and Procedure

- A student was suspended as a result of assaulting another student late one evening in April 2016. The safeguarding Panel met as the student had previously made racially abusive comments to an academic member of staff. The issue was captured on CCTV. The student

was arrested and convicted of assault at Highbury Corner Magistrates' Court in March 2017. The student withdrew whilst a discipline investigation was pending.

- In December 2016 a disclosure was made by a student that a child under 16 in her household was at immediate risk of sexual abuse. A referral was made to Social Services with the consent of the student.
- In May 2017 a student was suspended under the Fitness to Study Policy and procedure. The College's Consultant Psychiatrist said that the student was not currently fit to study. It was clear from the numerous communications being received by a large number of staff that it was not safe for the student to be on campus. A referral was made to Adult Social Services with the agreement of the School.

In the first year of operation the Safeguarding, Free Speech and College Principles of Dignity at Work and Study operated in a complementary manner to support students, staff and visitors as intended. Each issue was specific and complex and was carefully considered by a small group of staff. Given the College's commitment to transparency, these incidents have been highlighted as they cross a number of policies.

Summary

All of these issues involved the Academic Registrar, Director of Facilities and Estates Services, Head of Student Services, Head of Communications plus representatives from the Student Union and the School/Department where the student studied. Each of these officers has undertaken Unconscious Bias training in the discharge of their duties. On each occasion appropriate consideration was given to ensuring equality and diversity was supported. Further training has been identified and will be undertaken in 2017/18. An Equality Impact screening of these policies recommended that a full stage 2 Equality Impact Assessment was not required. The EIA put forward a number of suggestions and recommendations which are considered alongside the operation of the policies.

Fraser Keir
Academic Registrar
June 2017

Annex B

**Prevent duty monitoring
Annual report data return**

Provider: Birkbeck College

HEFCE Prevent Adviser: Michael
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This is a mandatory return, all sections other than the optional staff training breakdown will need to be completed for the return to be validated. In all cases this data should cover the year from 1 August 2016 to 31 July 2017.

<i>The operation of welfare policies</i>	Number
Number of cases escalated to a point in which your Prevent lead has become involved	1
Number of cases which lead to external advice being sought from Prevent partners	1
Number of cases formally referred to Prevent partners (sometimes referred to as 'Channel referrals')	0
<i>Events and speakers</i>	
Speakers and Events referred to the highest levels of approval required by the provider's procedures	0
<i>Multiagency referrals</i>	
Number of times your provider has been invited to be involved in relevant multiagency welfare referral processes	0
Number of times your provider has accepted the invitation referred to above	0
Number of times your provider has been kept informed on cases going through this process	0
<i>Staff training</i>	
Total number of staff who received Prevent-related training	83

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number greater
than or equal to
zero.

Annex C

Prevent monitoring: Annual report governing body/proprietor declaration

Throughout academic year 2016-17 and up to the date of approval, Birkbeck, University of London:

- has had due regard to the need to prevent people being drawn into terrorism (the Prevent duty)
- has provided to HEFCE all required information about its implementation of the Prevent duty
- has reported to HEFCE in a timely way all serious issues related to the Prevent duty, or now attaches any reports that should have been made, with an explanation of why they were not submitted.

Name	Sir Harvey McGrath
Signed	
Date	21 November 2017