

Notes of the Prevent Event held in the Henderson Lecture Theatre on 6 October 2017

1. Introduction

- 1.1 The second annual Prevent Event was held on-campus on 6th October, providing information about the obligations placed upon the University by the Prevent Duty and how Exeter has responded with a strong focus on student and staff welfare and its fundamental commitment to freedom of speech and academic freedom. The aim of the event was to inform, plus – importantly - to allow open discussion and debate about the duty.
- 1.2 The event was introduced by the Provost, Professor Janice Kay CBE, with presentations provided by the Registrar and Secretary, the Director of Compliance, Governance and Risk, and also by a guest speaker from the Department for Education, Salam Katbi, who is the South West Prevent Regional Coordinator. An overview of these sessions is provided for reference.

2. Provost - Welcome and Introduction

- 2.1 The Provost discussed the challenge to implement the Prevent Duty without infringing freedom of speech, but also ensuring the welfare of our students and staff.

The University was proud of its commitment to balance the implementation of the Prevent duty with a due consideration, consultation and care that allowed both academic freedom and the protection of staff and students to sit side by side.

The Provost drew attention to a joint statement from herself and Mike Shore-Nye, the Registrar and Secretary, on the [Prevent webpages](#), which reiterated this primary commitment.

- 2.2 The University had taken action on questions raised at the event last year, including clarifying our ethos (see point 2.1 above), and working with Colleges and relevant Professional Services to lessen the burden of our Speakers and Events policy, while still ensuring that the requirements of the Duty are met.
- 2.3 The event would provide more detail on our approach, our policies and how we complied with the Duty. It would also give students and staff the opportunity to engage in the same constructive discussion as last year, so that the University could further improve its approach to the Duty.

3. Registrar and Secretary – Defining Prevent

- 3.1 The Registrar and Secretary set out the statutory requirement to have “due regard” to the need to prevent people from being drawn into terrorism. He also examined as myths some of the negative perceptions perpetuated by the media, such as:

- Prevent is about universities “spying” on students, monitoring internet usage, social groups, background and beliefs, and books checked out from the library.
- Prevent establishes a direct line from education institutions to the Government, and forces higher education institutions to do its work.

- 3.2 HM Government guidance defined having “due regard” as: “authorities placing an appropriate amount of weight on the need to prevent people being drawn into terrorism” Essentially, each University should respond to Prevent in a manner that managed the risks specific to the institution, its location and its context.

3.3 The core focus of Exeter’s approach was based on the principle of providing pastoral and general welfare support should a concern arise. The University aimed to support an individual BEFORE a concern became serious enough to require external agency involvement. Of course, if things progressed and could not be resolved by us, then external agencies might become involved, but this was never the University’s starting point.

3.4 To understand the duty, it was essential to have a clear understanding of “terrorism”, and this was most effectively provided by the Terrorism Act 2000, which defined terrorism as an action that:

- a) Involves serious violence against a person;
- b) Involves serious damage to property;
- c) Endangers a person’s life, other than that of the person committing the action;
- d) Creates a serious risk to the health or safety of the public or a section of the public, or;
- e) Is designed seriously to interfere with or seriously disrupt an electronics system.

3.5 Terrorism was not holding or supporting what some may see as radical or extreme views **unless** this facilitated the actions set out in the Act. The University had allowed speakers from the left and the right, and encouraged debate about many of the questions surrounding Prevent and the underpinning geopolitical issues. Exeter was a global university committed to the principles of freedom of speech and academic freedom within the law. These principles were enshrined in University codes of practice and also in the law itself.

4. Director of Compliance, Governance and Risk - Complying with Prevent

4.1 Having discussed what Prevent is, and what that means within the University, the Director of Compliance, Governance and Risk explained how the institution sought to comply with the requirements of the duty in practice.

4.2 As the current higher education regulator, compliance with the Duty was monitored by the Higher Education Funding Council for England (HEFCE). Next year, this monitoring role would be undertaken by the Office for Students (OfS), which would, following the passage of the Higher Education and Research Act, become the new higher education regulator. HEFCE had provided guidance to higher education Institutions, which formed the structure against which our compliance was assessed.

More information, including the guidance document itself could be found on the University [Prevent duty web page](#).

4.3 In order to comply with the duty, HEFCE required the University to provide evidence of the activity completed under the seven headings set out in **figure 1** below:

Figure 1: HEFCE requirements

HEFCE Requirement	University activity
1. Assess the risks associated with Prevent in the context of their local situation and draw up a proportionate action plan to mitigate those risks	Prevent was incorporated as an institutional corporate risk. A full risk assessment and associated action plan had been drawn up. These were reviewed and updated regularly by the Prevent Compliance Group, and approved by the executive management group (VCEG), and by Council, the University’s governing body.
2. Have responsive, effective welfare support systems, ensuring concerns about students’ wellbeing can be acted on, linking to Prevent structures (such as local authorities or the police) if necessary AND	Requirements 2 and 3 were clearly linked. Existing robust welfare policies were in place, allowing concerns identified by any member of University staff to be referred to appropriate internal support channels.

<p>3. ensure internal mechanisms and external arrangements are in place for sharing information about vulnerable individuals when appropriate</p>	<p>In addition, a Prevent referral process had been developed, and was available on the University Prevent web page for all staff and students to view.</p> <p>The University had also established a single point of contact for concerns relating to students – the Head of Student Services; and for concerns relating to staff – the Deputy Registrar, Director of People Services and Global Partnerships.</p>
<p>4. Have systems in place for assessing and mitigating risks around external speakers and events on campus, while maintaining the existing duty to promote freedom of speech</p>	<p>The University had worked hard to ensure that its Speakers and Events policy was proportionate, appropriate, and balanced with our fundamental commitment to freedom of speech.</p> <p>Its initial position would always be to allow an event to go ahead unless there was a clear, evidenced and insurmountable Prevent concern.</p> <p>The University had also worked closely with colleges and relevant professional services to put in place proportionate and flexible arrangements to cover other events and speakers.</p>
<p>5. Ensure senior managers are engaged with the Prevent duty, build links with external Prevent partners, and arrange ongoing Prevent training for relevant staff</p>	<p>Senior management Engagement - Face to face training had been provided by the Regional Prevent Coordinator for the senior management bodies of the University, who also had full visibility of the risk register and annual report, including assurance of the processes to deliver these.</p> <p>Links with external partners – Implementation of the duty was overseen by a Prevent Compliance Group, including representatives across the University, plus the Local Community Police Officer and the Department for Education Regional Prevent Coordinator. In addition, the University was represented at:</p> <ul style="list-style-type: none"> • National HEFCE workshops, including members from the Home Office, the Department for Education, Counter Terrorism Police Unit, Prison Services and other partners • The South West Regional Prevent Group • The more local Devon and Torbay Regional Prevent Partnership • Meetings of the Russell Group Prevent group <p>Training – Mandatory training specific to roles had been rolled out from September 2016, with refresher training required every 3 years. This included:</p> <ul style="list-style-type: none"> • Introduction to Prevent (all staff) • Support for Individuals (key staff in close contact with students and within the welfare process) • Speakers and Events (key staff responsible for requesting, booking or administrating the booking of speakers and events) • Face to Face (staff with no access to IT equipment or where English is not their first language)
<p>6. Implement an IT usage policy which covers the Prevent duty</p>	<p>The University IT Usage Policy included a “code of conduct” stating the type of material that may/may not be downloaded. Within this, a process existed to notify the University and make an ethics application if you had the genuine academic need to view such materials in support of your teaching, study or research. The purpose of this was to protect you from scrutiny and enable the University to defend you should your actions be perceived to be unlawful. All of these policies and approaches pre-existed the Prevent duty.</p> <p>The University had purposefully avoided monitoring the online activities of staff and students, but there was controlled access to “TOR” browsers, which had been used extensively in the past to facilitate criminal activities, including terrorism.</p>
<p>7. Ensure that student’s unions and societies are aware of, and are consulted on, policies concerning activities on campus</p>	<p>This was an area that had proved difficult for the University due to the decision of the Guild to boycott of the Prevent Duty. The University had sought to ensure effective communication with our students through the standard channels such as newsletters, the website, the Prevent enquires e-mail address and the Prevent event, where there was an opportunity to discuss any student concerns.</p>

5. Salam Katbi, Department for Education Prevent Regional Coordinator – Current context and next steps

5.1 Salam is the Regional Prevent coordinator for the South West, and her role is to engage with and support Universities and Colleges on the Prevent agenda. This includes providing briefings, training, assisting with institutional policies and engaging with students. Salam is a member of the University of Exeter Prevent Compliance Group, and also acts as a conduit between the Counter Terrorism Unit, Police, Home Office and Department for Education.

5.2 Salam confirmed that the current UK threat level from terrorism was “**severe**”, meaning that a terrorist attack on the UK mainland was “**highly likely**”. The threat level was produced by the Joint Terrorism Analysis Centre (JTAC), based on information provided by various agencies and Government departments.

5.3 It was explained where **Prevent** sits within CONTEST, the Government’s Counter Terrorism strategy. This is made up of four work strands, which are:

- **Pursue** – Detecting, investigating and disrupting terrorist threats (criminality has already occurred)
- **Protect** – Put in place security measures to reduce vulnerability to terrorist threat
- **Prepare** – Measures to minimise the impact of an attack, manage incidents and recovery
- **Prevent** – Aims to stop people from becoming involved in terrorist activity **before any criminality has occurred**

5.3 It was noted that none of this is new – the Prevent strategy was launched by the Labour government in 2005, and was revised by the Coalition government in 2011.

5.4 Universities were one element of the public sector who were responsible for implementing the duty, and held joint responsibility with other organisations within the community. The duty differs for Universities, in that they must ensure that academic freedom and the right to free speech are not violated while fulfilling this duty.

5.5 To illustrate the impact of Prevent, some facts and figures were provided from data collated by HEFCE as the monitoring body, independent reviews and from the formal processes that sit within the duty:

- HEFCE reporting noted “significant progress” and “positive practice” within the Higher Education sector. It also noted that no provider was judged as failing to demonstrate due regard to the duty.
- 142 community based projects were delivered in 2015/16, reaching 42,000 participants
- Since February 2010, 250,000 pieces of illegal terrorist material had been removed from the internet.
- Since 2012, over 1,000 people had received support through [Channel](#) – a multi-agency approach to identify and support individuals who are at risk of being drawn into terrorism.
- Prevent explicitly addressed **all** forms of terrorist threat, and almost a third of those supported by Channel in 2016/17 were far right and extreme right wing cases. In some areas, far right referrals accounted for more than half of all referrals.
- More than 150 attempted journeys to Syria/Iraq had been disrupted in 2015.

5.6 An example was provided of a case with regard to a male who had been drawn into extreme right wing circles, and how the Channel support process engaged with him. The individual was supported to take an alternative path within the community.

5.7 It was reiterated that proportionality is the key word for the implementation of the duty, and that we had to work harder to dispel the misconceptions around Prevent. The duty was not about being an extension of the security services, but about supporting vulnerable individuals within our society **before any criminality had occurred**.

6. Q & A – Comments and actions

6.1 The session concluded with a 50 minute questions and answers session, during which the audience asked questions of the speakers, plus the Risk and Compliance Officer, who has been involved in the operational development of associated policy and process. A very open debate was held. Points and actions raised are noted within **figure 2** below.

Figure 2: Points raised, response and actions

Ref	Point raised	Panel response	Action (where applicable)	Post meeting note
1	While there is a clear legal definition of freedom of speech, this does not exist for academic freedom. There is fear amongst academics with regard to what they can and can't research or teach, and whether they are at risk of criminalisation for doing their job	<p>The University has a published statement on academic freedom, setting out the definition, along with the rights and responsibilities of staff undertaking academic duties. In addition, the code of conduct for access to restricted materials is in place specifically to protect students and academics with a genuine academic need to access such materials. Completion of the Request for Access to Restricted Materials Form and associated ethics application allows the University to defend the rights of relevant individuals to research, teach or study such materials.</p> <p>All of this pre-exists the Prevent duty and provides assurance of our commitment to upholding academic freedom and to protect our staff and students.</p> <p>The University is absolutely committed to allowing this activity to take place, and would defend its staff and students' right to do so.</p>	<p>1. The Code of conduct for Downloading Materials Relating to Terrorism to be communicated more widely, particularly for identified programmes, however all students should be aware of the requirements. Action owner: Compliance Governance and Risk Directorate, Prevent Officer, and Exeter IT</p>	<p>The code of conduct has been updated to the code of conduct for access to restricted materials, and communicated further to Colleges via the Directors of College Operations. The communication clarified that the process is aimed at protecting the users, and statistical data only is reported. Ethical review allows for research and teaching on any subject, providing that the relevant ethical assurance is provided.</p> <p>NOTE – link to code of conduct updated October 2019, following web page restructure.</p>
2	<p>The presentation drew on the reality of the Prevent duty being significantly different to that portrayed in the media, however a report by Durham University on the impact of the Prevent in academic circles contradicts this. This indicates that:</p> <ul style="list-style-type: none"> • Muslim students are being stigmatised • Criticism of Prevent is evident from quite serious academic sources. • The link to “fundamental British values” caused issues, as many cultures and countries have similar values, they are <i>not</i> fundamentally British. 	<p>There had been various reports on Prevent published by multiple Universities, including some very positive case studies. The concerns had been noted, and it is recommended that a balanced view should be taken.</p> <p>The event held today had looked at the approach of the University of Exeter, confirming the commitment to freedom of speech and academic freedom. All guidance and training material provided by the University referred to the wide spectrum of groups that a Prevent related concern could relate to. It was noted that 50% of referrals across the South West were linked to far right groups.</p> <p>The University focused on the definition of “terrorism” as stated in law within the Terrorism Act 2000. It was agreed that the reference to “fundamental British values” within Prevent guidance provided by the Government was not helpful, and it would be more accurate to refer simply to “fundamental values”.</p> <p>Post meeting note: The report published by Durham, Coventry and Huddersfield Universities has been reviewed for context. The report focusses on schools and colleges, incorporating the duty within their safeguarding policies. The report states that its finding could be seen either as:</p> <p>a) Clear evidence that the duty makes sense, and that the potential negative impacts can be averted or</p> <p>That there remains a disproportionate focus on Muslim students, exacerbating the feeling of isolation, and that the link to</p>	N/A	N/A

		“fundamental British values” is ill-conceived.		
3	<p>For specific programmes, we are asking students to look at material that we know falls into a category that may cause concern with regard to the Prevent duty. Should a Code of Conduct notification form be completed for all students involved, each time?</p> <p>The guidance provided to Higher Education Institutions is vague, and there are concerns with the law surrounding it. The definition of a “terrorist” may differ depending on whether the individual is militia working for our allies or for our enemies. It is concerning that now it is perceived that simply viewing materials is a Prevent concern, regardless of whether the individual is taking any action in relation to terrorism.</p> <p>The issue is directed more at the law in this area than at what is happening at the University. Even the definition of terrorism itself requires judicial interpretation.</p>	<p>It was noted that terrorism and the Prevent duty were not the only areas where an ethics process should be followed to ensure that staff and students were protected for the course of their teaching, research or study. This was also the case for other topics, such as pornography and other research areas involving the interests and rights of others.</p> <p>It was confirmed that a Code of Conduct form and ethics application should be completed for each instance that it would be deemed appropriate. It was acknowledged that this may involve large numbers of students, and that there was the potential to streamline the process to lessen the burden.</p> <p>Input was requested from academic members of the audience on how they would like to see the duty applied. In response, a request was made to follow court cases and case law, as it was anticipated that a ruling would shortly be made confirming that academic freedom trumps banning speakers. <i>(Note – University policy is to always aim to allow events to go ahead, please see the Speakers and Events policy).</i></p>	<p>2. Colleges to review programmes to which the Code of Conduct for Downloading Materials Related to Terrorism applies, and a central log to be held Action owner to be confirmed – to be discussed at PSLT</p> <p>3. The Compliance, Governance and Risk Directorate would work with the Colleges to develop a means of completing the relevant code of conduct form for groups of students and/or researchers. Action owner: Compliance. Governance and Risk Directorate, Prevent Officer</p> <p>4. Case law to be monitored with regard to Prevent, and assessed against the University policies. Action owner: Compliance Governance and Risk Directorate (Legal team)</p>	<p>2. No longer required as the communication of the requirement will cover this, and allow tutors / supervisors to advise students where relevant.</p> <p>3. This can be done on a case by case basis should a group of students be required to access such information. A list of names can be provided alongside the ethics approval.</p> <p>4. Ongoing. There has been none to date in this context.</p>
4	<p>Guidance was requested on whether the University could release information on:</p> <p>a) How many forms (Code of Conduct for Downloading Materials Related to Terrorism) had been completed, and for which programmes</p> <p>b) How many support referrals had been considered or made</p> <p>c) How many speakers had been prevented from speaking for reasons related to Prevent.</p>	<p>The panel confirmed that:</p> <p>a) The Code of Conduct notification forms are not currently held centrally, however this will be looked at.</p> <p>b) This information is subject to exemption under 31 (1) (a) of the Data Protection Act. As such, the University can neither confirm nor deny whether this information is held.</p> <p>c) To date, no speakers have been refused on Prevent grounds. The University remains keen to encourage debate and will always endeavour to allow events to go ahead provided that they are within the law.</p>	<p>5. The Compliance, Governance and Risk directorate will work with the Colleges to ensure centralised visibility of Code of Conduct notifications Action owner: Compliance, Governance and Risk Directorate, Prevent Officer</p>	<p>5. All access request notifications are approved via the information-security@exeter.ac.uk mail box, and are now held securely and centrally.</p>
5	<p>Guidance was requested on storing sensitive information that could cause a concern with regard to the Prevent duty if not properly controlled, both in electronic and physical paper format.</p>	<p>Where staff or students are teaching, researching or studying material that could cause a Prevent concern, the appropriate code of conduct for access to restricted materials should be followed. This effectively protects the individual to hold those materials for academic purposes. It was felt that holding physical materials on campus, and following Exeter IT guidance for the storage of electronic data would provide the best level of protection. Further advice in this area will follow.</p>	<p>6. The Information Governance Team (Compliance, Governance and Risk) will work with the Information Security team (Exeter IT) to provide a framework and guidance for information storage of this type. Action Owner: Information Governance Manager (Compliance, Governance and Risk)</p>	<p>6. The submission of access requests for the form are routed via the Information Security Team (see action 5 above). The Information Security Team will advise if there are any specific data storage requirements.</p>

6	<p>The communication to students advertising the Prevent Event was queried, as the only students in attendance had heard of the event from the Student's Guild rather than the University itself. The event had been advertised in the student newsletter, which had only been sent two days in advance of the event itself.</p> <p>It was understood that the Student's Guild had a boycott of the duty in place, and suggested that the University should consider, given the boycott, how most effectively to communicate on Prevent matters with students.</p>	<p>This was acknowledged as an area for improvement. It was disappointing that the message had not reached all students.</p> <p>The notes and actions from the session are to be communicated to students, with details of the University Prevent web page, on which are published the related policies and processes. Students are also encouraged to use the Prevent@exeter.ac.uk email address if they have any questions, comments or feedback.</p>	<p>7. The notes of the meeting will be published to the Prevent web page and communicated to all students, providing visibility of the discussion and a means to provide feedback/ask questions. Action owner: Compliance, Governance and Risk</p>	<p>The Communications team has confirmed that the event was advertised to students via the following media:</p> <ul style="list-style-type: none"> • University of Exeter students Facebook page • Distributed to College campaign managers to promote the event • Listed within the student newsletter • Listed on the University online events calendar <p>It has been noted that timing the event within the first two weeks of term placed it in a busy period for students. This also made it difficult for sufficient advance notice to be given of the event. This should be considered for the next event.</p>
7	<p>How are student organised speakers and events managed with regard to the duty if there is a boycott in effect?</p>	<p>The Student's Guild debate speakers risk assessments are shared with the Compliance, Governance and Risk directorate, which enables the University to perform additional risk assessments and to require additional controls to be applied where appropriate.</p>	N/A	N/A