

GOLDSMITHS RESPONSE TO CONSULTATION ON PREVENT DUTY STATUTORY GUIDANCE

General points

1. The duty is a response by the state to the risks that violent extremist activities pose to British society. These risks are public ones, owned by the Government, Police and intelligence services. The transfer of this public risk to private institutions such as universities risks a blurring of the boundary between the state and wider society, and threatens an encroachment of security apparatuses across the free and independent values of society.
2. The guidance quotes equalities duties under the law, but does not make sufficient reference to other legislation governing HEIs, the existing provisions under the 2004 Education Act, Charities legislation and duties regarding freedom of speech should specifically be cited.
3. A number of terms used within the guidance are open to interpretation and left significantly broad in their scope; specific examples include 'radicalisation' and 'non-violent extremism, which can create an atmosphere conducive to terrorism and can popularise views which terrorists exploit.' Goldsmiths, has an international reputation for critical, creative, radicalism in our approach to teaching, learning and research. There is greater legal clarity around the term 'violent extremism' and any expectation on HEIs to widen their responsibility to counter non-criminal extremist activity should be far more precise in what is, and is not, meant by any associated terms.
4. There is an assumption that Students' Unions have not been included in the bill due to their charity status, and their existing regulation by the Charity Commission. HEIs are also charities and it could be argued by the same logic, that they should also be excluded from the bill.
5. The definition of HEIs provided in the statutory guidance is based upon the historic characteristics of higher education and will not include a number of online providers with significant numbers of students.

Partnership

6. We already have a strong relationship with our local Lewisham Prevent group and other statutory agencies concerned with security and safety. We feel that the specificity of requirements in the guidance does not take account of different institutional circumstances and a better requirement would be for HEI's to develop close working relationships with local authority Prevent co-ordinators.
7. Universities have well developed devolved management structures for dealing with specific areas of responsibility as they relate to safeguarding and the student experience. In our view there is nothing to be gained thorough specifying the direct engagement of the Vice-Chancellor with the police, local authority Prevent co-ordinators and other partners.
8. We already have an institution wide committee that deals with matters pertaining to the student experience, including safeguarding and duty of care

issues, which would include any concerns about exposure to violent extremism. We do not feel that the expectation contained in the guidance for 'an internal cross-department group with a single point of contact for Prevent-related activity' and 'regular contact with Prevent regional coordinators' is appropriate, practical or proportionate in relation to the risks and concerns facing our students.

Risk Assessment

9. Explicit reference to 'non-violent extremism that can create an atmosphere conducive to terrorism and which can popularise views that terrorists exploit' is of particular concern. The definition of both 'non-violent extremism' and 'atmosphere conducive to terrorism' is unclear and (as non-violent extremism is legal) potentially would conflict with the separate obligation to secure freedom of speech with the law.
10. We already have a number of policies in place to manage risks in areas that relate to Prevent concerns (for example and External Speakers policy). We do not feel that an additional obligation to conduct an additional layer of risk assessment will add any value and will possibly detract resource and attention from existing risk assessment processes that are robust and which to date have served us well. The guidance specifies a need for 'specialist knowledge' in making assessments and it is not clear what this knowledge base might be or qualification of the individual concerned with making assessments. We have a real concern that the administrative burden implied here is disproportionate.

Action Plan

11. The requirement for universities to draw up a separate Prevent action plan (rather than addressing Prevent-related risks in existing action plans relating to student experience and campus security) would not appear to be proportionate or necessary. We already deal with Prevent-related risks and take actions to ensure the safety of our campus and our students.
12. There are additional risks created in proposing a specific action plan as well as a single point of contact responsible for implementation and compliance: within a large organisation with thousands of students and hundreds of staff a distributed responsibility for security and duty of care issues in relation to the student experience is more effective. We already have a Head of Security as a single point of contact in relation to concerns about campus security and we have a Director of Students, Alumni and Libraries in relation to concerns about risks to our students.

Staff Training

13. Whilst the opportunity for some of our staff to undertake training and information briefing sessions relation to Prevent awareness would be appreciated – it would be an onerous responsibility for *all staff* to be expected to undertake such training given that we have hundreds of staff with a student-facing role.
14. The guidance also expects universities to have 'robust' procedures for sharing information internally and externally about vulnerable individuals, including information sharing agreements, and an internal staff Channel panel. We feel

that there is a risk of damaging relationships with students, and student representatives, if there was an expectation that information would be shared inappropriately either internally or externally. We believe existing procedures for dealing with the welfare of vulnerable students are sufficiently robust to protect the individual and fellow students and members of our community. We do not believe there is a need to establish an internal Channel panel – this is another onerous and disproportionate use of our resource when we already have good relationships with the local Prevent team and if the need arose would be able to liaise with the local authority Channel co-ordinators.

Welfare and pastoral support/chaplaincy support

15. We already provide pastoral care and support for our students; the guidance refers to this as a responsibility but does not define what it views to be ‘sufficient chaplaincy and pastoral support’. We do not feel this is an area that is any need of further statutory instruction.
16. The implication that chaplaincy should be used as a tool to implement extremism related policies risks securitising services which are used by the most vulnerable students. We are also conscious that our Chaplaincy offer is in part provided on a ‘gift’ basis by the local diocese/ministries and therefore, we do not have full management control of these services.

Speakers and events

17. We already have policies and procedures in place for the management of events on campus and use of all university premises. This includes a requirement for bookings to be made 14 days in advance of the event and a commitment to do an outline screen of speakers external to the Goldsmiths staff and student community. The guidance would take this much further and create another onerous and resource intensive responsibility by requiring advance notice of the content of any event including an outline of the topic, sight of any presentations and footage to be broadcast. Given that Goldsmiths has a healthy and active programme of public events, daily in term time, this additional responsibility would require a whole new team of people to be assessing content and determining risks, against an unspecified criteria. In short, the expectation is neither practical, appropriate nor proportionate. The procedures and systems that we currently have in place are effective.
18. Furthermore, the expectation that universities should be responsible for monitoring events that take place off-campus is completely unrealistic and unenforceable. The student community is not simply subject to event promotion through on-campus materials such as posters, most promotion is now done through social media of which we have no control.

Online safety

19. We already have policies and procedures relating to the use of IT on campus as it relates to our networked PCs. However, the guidance does not make clear the extent of what is meant by ‘use of IT’ – does this include laptops and smartphones accessing our Wi-Fi network? If so, this would be impractical for us to police.

Students' Unions

20. There is an incongruity in the bill's application to HEIs and not to Students' Unions given that many of the aspects of the bill apply specifically to areas for which Students' Unions are responsible, i.e. speakers and events.
21. The bill does not recognise the status of most Students' Unions as legally distinct entities, and presumes a greater degree of responsibility on the part of the HEI for their activities than is the case.

Prayer and Faith Facilities

22. As stated above we already have policies in place for the management of any rooms or venue space in order to respond to a wide range of risks, including those regarding violent extremism. The creation of separate policies as a response to this duty risks accusations that institutions are specifically targeting religious communities on campus.

Monitoring and enforcement

23. The guidance suggests that HEFCE should become the monitoring body in relation to the implementation of statutory duties, it is unclear as to whether this would be a proactive, routine monitoring activity or a reactive responsibility. HEFCE does not currently undertake any monitoring specifically relating to the student experience, we would suggest that other regulatory agencies such as QAA would be better placed to assess in the context of auditing the quality of the student experience and the universities ability to uphold its safeguarding responsibilities.

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