

Prevent monitoring: accountability and data return frequently asked questions 2019 (for the 2018-19 academic year)

Background

What is the purpose of the accountability and data return?

The accountability and data return (ADR) is an important part of our approach to a risk-based monitoring of higher education providers' compliance with the Prevent duty.

It provides us with annual assurance that essential areas of the duty are performed by providers: staff receive training, student welfare procedures continue to be used, and that the external speakers and events process is managed appropriately. But it also reflects our wish to ensure that every student, whatever their background, has a fulfilling experience of higher education that enriches their lives and careers.

What is the regulatory burden for providers?

Prevent is now well embedded across the sector, so we are maintaining the less burdensome ADR process. We consider that the dataset requirements reflect necessary and proportionate expectations of providers under our general duties and they provide insight into how providers are protecting people from radicalisation.

This feeds into a wider assessment of risk relating to an individual provider's compliance with the Prevent duty. This enables us to target our monitoring effectively at those providers identified as higher risk of non-compliance with the duty.

What is the data being used for?

The data will enable us to test whether core Prevent related activity continues to be implemented by higher education providers. To understand the extent of staff training, we may also compare the data with Higher Education Statistics Agency data on overall student and staff numbers.

We are not benchmarking the data, but we will examine it to analyse activity and identify potential outliers. Where we see concerns from the return, such as relatively low levels of such activity or training at an individual provider, this may be flagged as a compliance risk but will not be used in isolation. Rather, it will be used in conjunction with a range of different data and information sets to determine the overall risk of non-compliance at a provider.

In some circumstances, we may query a provider on its ADR return, so we can understand its data or statement in further detail.

How does the ADR process fit into the broader risk assessment of a provider?

The ADR is just one piece of evidence that informs our risk assessment, alongside ongoing assessments of changes or circumstances and serious incidents, local risks and any compliance concerns.

Where we are sufficiently concerned (for example we assess a provider as being at high risk), we will trigger a Prevent review meeting to enable us to obtain more detailed assurance that a provider is compliant with Prevent. We will also conduct Prevent review meetings with a random representative sample of other providers.

These Prevent review meetings will begin after the ADR assessment period and subsequent risk assessment analysis.

Why are you using information from local partners to inform your monitoring activity?

Providers should have ongoing Prevent risk assessments in place that consider contextual factors, such as local risks. The statutory guidance is clear that providers should engage with Prevent partners such as the Department for Education's Further Education and Higher Education Prevent Coordinators, and we would expect these relationships to be a primary source for information about local risk.

The Office for Students (OfS) needs to be aware of this information to understand whether a provider's response to local risks relating to radicalisation when implementing the duty is both proportionate and reasonable. This information will form one indicator as part of our wider assessment of risk relating to an individual provider's compliance with the Prevent duty, which will enable us to target our monitoring effectively.

Welfare data

Why have you asked for data on welfare referrals?

We ask for data on non-Prevent related welfare cases as we recognise that not all relevant higher education bodies will need to manage a Prevent related case in a given year. This would appear to be the case from previous data returns where low numbers of Channel referrals were reported to us in previous years. This provides us with a reasonable level of assurance and evidence by proxy that welfare policies are being used and that a Prevent related welfare concern would be reported.

This information is only being used for Prevent monitoring purposes. It is not being used for the OfS's wider regulatory activity in relation to welfare and safeguarding. We are not using this data to draw any conclusions about the implementation of welfare policies more broadly.

How are you defining ‘welfare’?

We define ‘welfare’ as the systems, policies and processes used by providers to exercise their duty of care towards their students and staff across academic and non-academic spheres and spaces, including ‘cause for concern’ and other similar procedures.

This means we are asking for the number of welfare cases referred to specialist staff such as a designated welfare or safeguarding lead, central student services or internal committees. Self-referrals or cases where staff have made an informed decision not to provide professional support, advice or guidance should not be included.

We use the term welfare, as opposed to safeguarding because often the term ‘safeguarding’ is used specifically for children and vulnerable adults under existing safeguarding legislation.

We would expect that providers should have some existing record management systems in place for welfare cases to assure themselves their policies are effective in practice, so no new recording systems need to be created to fill in the form. Providers can explain their dataset in the corresponding context box so that we have a good understanding of the data submission.

How can you assure us of anonymity of data?

The data submitted is used to assure us that adequate procedures are in place to identify Prevent related issues. We use the wider welfare data as a proxy for this Prevent monitoring purpose only. We have introduced an optional ‘estimate’ button on the broader welfare question for this year so that the number can be rounded to the nearest 10. This reduces further any risk that an individual could be identified, whilst allowing us to look at meaningful data. We will not publish any data at individual provider level.

External speakers and events

What is the scope of the data requested for external speakers and events?

We are requesting data only where it relates to the scope of a provider’s external speakers and events policy. This means the data should not cover events managed by separate policies, or visiting lecturers invited as part of the academic curriculum.

Training

Who are ‘key staff’ and why are you asking for their population size in the data return?

‘Key staff’ are those members of staff providers identify as central to protecting people from radicalisation. This is likely to include Prevent leads, staff in student support and staff working in speakers and events. However, it is up to the provider to define these staff.

We require this information to assure us that staff understand their responsibilities under Prevent and use their policies appropriately.

We ask for the key staff population so we can determine how this group is receiving refresher training and how any new key staff will receive induction training, as opposed to more general awareness-raising information for non-key staff.

We don't hold some of the data. What should we do?

We would expect all providers to maintain appropriate student and staff welfare records and therefore the expectation is that providers will have no issues in providing the data we request. However, please email the Prevent team on prevent@officeforstudents.org.uk for any queries.

The accountability statement

What is the purpose of the accountability statement?

The statement assures us that the governing body, as a whole, is ensuring oversight of their organisation's implementation of the duty. Therefore, the entire membership of the governing body should examine what internal controls and mechanisms they could reasonably use to give them assurance on implementing as a group, rather than relying solely on the chair.

If no separate governing body exists, then this responsibility would fall to the proprietor.

What assurance should we give to our governing bodies?

We have not been prescriptive in defining how individual providers should brief their governing bodies, as this relates to individual governance structures and practices. However, we would expect governing bodies to be presented with sufficient information to assure them that Prevent has been effectively implemented during the reporting period, so that they are confident in completing the accountability statement and declarations in the accountability and data return.

What is the deadline for this year's ADR submission?

Noon on **Monday 2 December 2019**. Completion of the ADR is mandatory.

What should we do if we need further advice or clarification?

We have produced guidance for providers and an ADR webinar, available on www.officeforstudents.org.uk/advice-and-guidance/student-wellbeing-and-protection/counter-terrorism-the-prevent-duty/how-we-monitor/.

There is information about completing the submission in the provider's individual submission worksheets, as well as technical guidance for the uploads.

We are also holding some short provider surgeries in October 2019. If providers can't get to those (we appreciate for some these may be too far away), please contact us directly via prevent@officeforstudents.org.uk, where an assigned case officer can liaise directly.