



Brighton & Hove City Council
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Brighton
BN1 1JE

Ms Jen Persson
Defend Digital Me

FOI Reference: 2625265

Direct Dial: 01273 295959

Email: xxxxxxxx@xxxx.xxxxxxxxxxxxxx.xxx.x

Date: 14 February 2019

Your reference:xxxxxxxxxxxxxxxxxxxxxx@xxxxxxxxxxxxxx.xxx

Dear Ms Persson

Freedom of Information Act 2000

Please find our response to your Freedom of Information request below. We apologise for the delay in providing this response to you.

Information regards the Channel and Prevent strategy in your area, and any associated multi-agency process for identifying, referring and supporting a person at risk of radicalisation, focusing on early intervention and engagement.

Please can you provide (time periods where applicable, are each per calendar year, since 2010 or as soon as records are available):

1. The total number of individuals (cases) that have been referred, and to where.
 - a) Identified at risk, of being drawn into terrorism or for other reasons under the programme,
 - b) Numbers in each available age bracket, including any breakdowns of children by age (i.e. 0-5, 5-11, 11-14, 14-18.)
 - c) What was the nature and extent of that risk; (aggregated totals)
 - d) What support plans were identified (similar types, grouped if possible)
 - e) Total number and the percentage that came as referrals from under 18 education,
 - f) Total number of requests with, and without, consent, respectively.

With regard to the above questions the council holds the information and considers that the information is exempt under section 21 - Information reasonably accessible to the applicant by other means.

Section 21 of the Act states:

21. (1) Information which is reasonably accessible to the applicant otherwise than under section 1 is exempt information.

(2) For the purposes of subsection (1) - (a) information may be reasonably accessible to the applicant even though it is accessible only on payment, and (b) information is to be taken to be reasonably accessible to the applicant if it is information which the public authority or any other person is obliged by or under any enactment to communicate (otherwise than by making the information available for inspection) to members of the public on request, whether free of charge or on payment.

The Home Office has published information on Channel Referrals and the publication can be found for the last year at:

<https://www.gov.uk/government/statistics/individuals-referred-to-and-supported-through-the-prevent-programme-april-2017-to-march-2018>

Please also see the end of the response for links to data for the previous years.

2. Please provide a copy of the information, privacy policy and consent form that individuals (and/or their parent/guardian) receive before giving their consent before any information is shared about them as part of the Channel programme.

The link to the Council's Privacy Policy is at: <https://new.brighton-hove.gov.uk/about-website/privacy-and-data>

We are working to provide a bespoke privacy notice to the Channel referrals and cases¹.

The new Statutory '[Channel Guidance](#)' (April 2015), at Annex A, provides information sharing protocols with respect to Channel cases.

Consent is obtained by an informed professional after a conversation with the referred individual and their parent/ legal guardian as relevant. The professional/s ensures that the individuals understand their rights and also feedback on a regular basis to the individual following consent where possible. The consent is recorded by the individual agency as per their policies and shared with the Channel in writing or at the Panel meeting which is recorded in the minutes and on relevant systems. The professionals are supported where needed by Channel or Prevent officers to enhance their understanding of the Channel, consent and rights of the individuals.

Further details about how the Home Office processes personal data can be found at

<https://www.gov.uk/government/organisations/home-office/about/personal-information-charter>.

3. Please provide the total number of onward contact with that involved information sharing with the following, but not exclusively, to any third party services as a result and list how many case information were shared with which third parties (or *all*):

NHS staff.

**Social care staff, including Directors of Children's and Adults' Services
Schools, further education colleges and universities Youth Offending
Services Chairs of Local Safeguarding Children Boards and
Safeguarding Adults Boards Local Authority Safeguarding Managers
Home Office Immigration Border Force Housing Prisons Probation**

As outlined in the '[Channel Duty Guidance](#)', information gathering is a key stage in the process and all Channel referrals result in a degree of information sharing with partners. The Council holds the information and believes that this information is exempt under section 24 (1) – on grounds of National Security.

Section 24(1) of the Act states:

24(1) Information which does not fall within section 23(1) is exempt information if exemption from section 1(1) (b) is required for the purpose of safeguarding national security.

The public interest test (PIT)

The 'public interest' is not the same as what interests the public. In carrying out a PIT we consider the greater good or benefit to the community as a whole if the information is released or not. The 'right to know' must be balanced against the need to enable effective local government and to serve the best interests of the local public.

The Council recognises that there is a general public interest in disclosure and that openness and transparency in all Local Government processes will increase further public engagement and trust. The release of information would indicate the success of the Council in working together with other departments and sectors to ensure the Prevent programme is functioning at a satisfactory level and reassure the public that the Government's Counter Terrorism Strategy is robust and appropriate.

With reference to the Channel programme, the release of information may help the public to better understand how the council in partnership with others

is supporting vulnerable individuals (including children and young people) and safeguarding them from being drawn into terrorism. Anything that allows the public to feel reassured about the work of the government and partner agencies, and will therefore lead to an effective challenge to those that seek to damage the communities in and around the UK, would be in the public interest to disclose.

However, in view of the serious terrorist threat to the United Kingdom, releasing that information into the public domain could harm the overall aim of the programme to prevent people from being drawn into terrorism. This could put national security at risk and compromise the government's efforts to prevent acts of terrorism and terrorist related crime.

Safeguarding vulnerable people from being drawn into terrorist related activities and delivering Channel Programme successfully rests on the Council's ability to inspire confidence in partner agencies, communities, as well as individuals receiving support through Channel, that the information provided will be treated in the strictest of confidence and that any disclosures will not add to concerns around the identification of individuals (regardless of whether identification actually takes place). Releasing this information may undermine trust in the Channel and safeguarding process through a reduction in the confidentiality associated with the process. Individual engagement with the Channel support may also be adversely affected by releasing this information. This will ultimately harm the aims of the Channel programme which is to support vulnerable individuals and to prevent crime.

Disclosing onward sharing would by default reveal the number of referrals in the city. Disclosure of this information would potentially reveal the identity of areas where the threat to the national security of the UK is greatest. More crimes may be committed should criminals begin to grasp each Council's specific statistics in respect of the Channel programme, particularly if mosaic requests are received by each Council. Releasing this information would enable terrorists or criminals to gain knowledge about where counter terrorism, law enforcement and public safety measures are focussed and thus risks effective targeting of individuals, organisation and areas with their radicalisation efforts. This may impact negatively on the delivery of Prevent, and on the range of activities deployed to prevent terrorism.

The Council believes that safeguarding national security interests is of paramount importance and that in all circumstances of the case, the public interest favours the non-disclosure of information covered by section 24(1).

- 4. Please provide (if possible diagrammatically, and if words only then it should be detailed enough to permit this to be drawn) the data flows that an individual is expected to understand from the point at which they are asked for consent to enter into the programme. This diagram should show where personal data are collected, or onwardly shared to other third parties as part of the programme, and any decision points which determine further data flows. The data collector, processor, and controller roles should be marked until the data destruction.**
- 5. (I.e.: school flags child, Parents contacted by Prevent officer, parents provide consent, Prevent officer contacts Police Channel Officer, MASH or Channel Panel, Panel reviews, passes on data to XYZ, decision A, action Y, data passed on to V, W, X, action N. 6 month**

review by XXX individuals / Panel, 18 months after exit scheme, all data destroyed).

The council considers that the information is exempt under section 24 (1) – ‘National Security’ and I refer you to the exemptions and PIT described above at question 3.

Additionally, release of this information would provide a detailed map of the Channel process and those with criminal intent could use this to subvert the Channel process in certain cases. This will ultimately harm the aims of the Channel programme which is to support vulnerable individuals and to safeguard them.

6. Please provide the total number of cases reviewed at 6 and 12 months from the point at which they exited the process.

The Council believes that this information is exempt under section 24 (1) – National Security. I refer you to the exemptions and PIT described above at question 3.

The level of breakdown requested, particularly for smaller subsets, necessitates that the Council consider implications of potential identification of individuals, especially if the requested data is used in connection with other information which may be available by other sources. Partners and individuals receiving support through Channel are therefore more likely to be concerned about the potential of individuals being identified and their personal information becoming available. Section 40 of the Act – exemption related to personal information will also need to be claimed for such smaller subsets of individuals.

7. Please provide the retention period for the data on individuals involved in cases, from the point at which they exit the process, that each party (see Q3) involved follows.

Brighton & Hove City Council and the Home Office are joint controllers of this information. This information is stored for 7 years.

8. Please provide the total number of individuals whose personal information is retained currently (date as per FOI receipt) who are no longer involved in cases, and have exited the process.

The Council believes that this information is exempt under section 24 (1) – National Security, and section 40 exemption related to personal information. I refer you to the exemptions and PIT described above at question 3.

9. Please provide a sample referral text (anonymous) that the Channel panel would receive on first referral. i.e. the kinds of text that the panel read and the information it contains.

Please see below the sample referral text that the Channel panel would receive:

'An individual of relevance to you or your service(s) has been referred under Prevent and assessed as suitable for consideration by the Channel multi-agency panel. Before arranging the panel it is important for you to share relevant information across our agencies and departments to inform our assessment of whether the individual is suitable for Channel intervention. To assist this you are required to check any relevant records and complete the attached Information Gathering Form, to be returned to:

xxxxxxx.xxxxxxx@xxxxxxxxxxxxxx.xxx.xx

Schools – Please can you send attendance records and behaviour reports.

Housing – please look to see if any complaints have been made against the address or if you have provided any anti-social behaviour support.

The Home Office requirement is for a reply within 5 working days, and I would be grateful if you could return this by close of play on date xxxx.

Should the information received indicate a need, then the case will be considered at a multi-agency panel which you may be invited to attend. The next Channel monthly meeting is planned for date and venue'.

Following the information gathering the panel members would also receive bespoke vulnerabilities assessment framework for each referred individual. You can access the VAF at:

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

10. For those referrals received through a school, please indicate where known, the source cause of the referral (i.e. teacher concerns, web monitoring system, friend.)

The Council believes that this information is exempt under section 24 (1) – National Security and section 38 – Health and Safety. I refer you to the exemptions and PIT described above at question 3 with respect to the Section 24 (1) and with respect to the considerations in favour of disclosing the information.

Additionally, considerations in favour of withholding information under Section 24 (1) are: if individuals start to worry that through disclosures in FOI there is a chance that they could be identified as referrer (regardless of whether identification actually takes place, or if it is mainly a perceived risk), could make people less likely to refer those at risk of radicalisation to the Channel programme. This risks undermining the effectiveness of the Channel programme. A less effective Channel also increases the terrorist threat to the UK.

Section 38 (1) of the Act states:

(1) Information is exempt information if its disclosure under this Act would, or would be likely to -

- (a) endanger the physical or mental health of any individual, or*
- (b) endanger the safety of any individual.*

Releasing this information for smaller subsets may adversely impact the health and safety of the referrer as individuals may be able to use this information to determine who referred them. This could endanger the referrers' mental or physical wellbeing. This presents significant risk of false attribution of referrers by individuals, which could lead them to endanger wellbeing of people who had no part in the referral process.

The Council believes that safeguarding national security interests and Health and Safety Interests are of paramount importance and that in all circumstances of the case, the public interest favours the non-disclosure of information covered by section 24(1) and section 38 (1).

11. Please list the funding sources and with which public body the oversight is held, for the Brighton and Hove Safeguarding Children Board.

The Local Safeguarding Children's Board (LSCB) has no statutory basis and is not classed as a public authority for the purpose of the Freedom of Information Act. The LSCB is a group set up under guidance under 'Working Together' made up of various agencies involved with the protection of children. Therefore we are not in a position to respond to your request. However, I believe you will find the detail you require within the annual report: [Brighton & Hove LSCB Annual Report 2017-18](#).

Balance of the public interest

On balance the public interest considerations in favour of withholding the information requested outweigh the public interest in release as disclosure of the requested information would reveal the identity of areas where the threat to the national security of the UK is greatest. This may impact negatively on the delivery of Prevent, and on the range of activities deployed to prevent terrorism. These factors would serve to undermine the effectiveness of the Prevent programme and measures to combat terrorism, and hence weaken and prejudice the national security of the UK and compromise health and safety of referrers.

I would note that the Prevent strategy and CONTEST reports can be found in the public domain. The latest Prevent strategy (2011) is at:

<https://www.gov.uk/government/publications/prevent-strategy-2011>

The Home Office has published Channel Referrals and the publication can be found for the last two years at:

<https://www.gov.uk/government/statistics/individuals-referred-to-and-supported-through-the-prevent-programme-april-2017-to-march-2018>

<https://www.gov.uk/government/statistics/individuals-referred-to-and-supported-through-the-prevent-programme-april-2016-to-march-2017>

The latest CONTEST strategy (2018) is at:

<https://www.gov.uk/government/publications/counter-terrorism-strategy-contest-2018>

CONTEST strategy latest annual progress report (for 2015) can be found at:

<https://www.gov.uk/government/publications/contest-uk-strategy-for-counter-terror-ism-annual-report-for-2015>

This completes our response to your request.

Please quote the reference number 2625265 in any future communications.

If you are dissatisfied with the handling of your request, you have the right to ask for an Internal Review. Internal Review requests should be submitted within two months of the date of receipt of the response to your original request, as per ICO Guidance <https://ico.org.uk/your-data-matters/official-information/> and should be addressed to:

xxxxxxxx@xxxx.xxxxxxxxxxxxxx.xxx.xx

or by post to;

Information Governance Team
Brighton & Hove City Council
4th Floor, Bartholomew House
Bartholomew Square
Brighton
BN1 1JE

If you are still dissatisfied with the Council's response after the Internal Review you have a right of appeal to the Information Commissioner at:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF.
Telephone: 01625 545 700
Website: www.ico.gov.uk

We will now close your request as of this date.

Yours sincerely

Information Governance Officer