

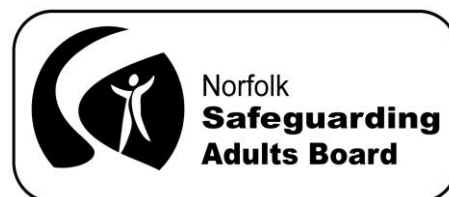
# **CHANNEL NORFOLK**

## **GUIDANCE ON MANAGING PERSONS BELIEVED TO BE VULNERABLE TO RADICALISATION (VTR) OR INFLUENCED BY EXTREMISM AND REFERRAL PROCESS**



**NORFOLK**  
CONSTABULARY

*Our Priority is You*



## **1. Introduction**

The purpose of the PREVENT Strategy is to stop people becoming terrorists or supporting violent extremism in all its forms. The strategy has three objectives, one of which is to prevent people from being drawn into extremism and ensure they are given appropriate advice and support.

This guidance document is intended to provide guidance to colleagues who have concerns expressed to them or have the concerns themselves in relation to any person, child or adult, who may be at risk of being adversely influenced or radicalised by any extremist group or ideology.

The document provides a mechanism for assessing and advising on the support that can be provided to protect those at risk of being targeted by extremists.

Unlike persons who fall within existing statutory frameworks, this guidance relates to persons who are at the early stages of becoming a person Vulnerable To Radicalisation or at risk of being Influenced by Extremism (hereafter referred to as 'VTR').

## **2. Key Elements**

The VTR guidance uses existing collaboration between local authorities, the police and statutory partners such as Children's Services, Adult Social Services and the local community to:

- Identify individuals at risk of being drawn into violent extremism
- Access the nature and extent of that risk
- Develop the most appropriate support for the individuals concerned

The VTR process has a Referral Form, Single Point of Contact, (Channel Co-ordinator) a Multi Agency Panel and an Information Sharing Protocol. Brief details of each of these are given below.

- Referral form designed to be used by all agencies, see Appendix A.
- SPOC – Channel Co-ordinator to establish and maintain a multi agency process that assesses those at risk of being drawn into violent extremism and delivers an appropriate response.
- Multi Agency Panel – to develop an appropriate support package to safeguard those at risk of being drawn in violent extremism, based on an assessment of their vulnerability
- Sharing Information – the VTR guidance is not a means for gathering intelligence. However, in common with other processes, it does require the sharing of personal information about people at risk. Information sharing must be assessed on a case by case basis and is governed by legislation, details of which are set out in Appendix B.

### 3. Sharing Information

The following principles should guide PREVENT information sharing:

**Power to Share** - the sharing of data by public sector bodies requires the existence of a power to do so. This may be a statutory power relevant to the agency's statutory function, or an implied power based on the agency's common law function. The power may exist under specific legislation and may be different for each agency depending on their function. It is the responsibility of each agency to consider whether *in this particular case* the sharing of personal information is consistent with their powers and function as a public sector body.

**Governing legislation** – for all bodies sharing personal information (private, voluntary or public sector) it is necessary to satisfy the requirements of the Data Protection Act, the Human Rights Act and the Common Law Duty of Confidentiality.

**Consent** – wherever possible the consent of the person concerned should be obtained before sharing information about them. However, obtaining consent can in itself prejudice the purpose of the VTR process and certain considerations must be taken before any agency seeks consent (see Appendix B).

**Other Gateways** - in the absence of consent it is necessary to identify an exemption or a relevant condition for processing under the Data Protection Act (see Appendix B). Where a body owes a duty of confidentiality and (in the case of public bodies) must consider the Human Rights Act, it is necessary to determine that the level of public interest overrides the expectation of privacy (see Appendix B).

**Necessity, relevance and proportionality** - information should only be shared where it is strictly necessary to achieve the intended outcome and is relevant and proportionate to it. Information should be selected for sharing on the basis that the agencies involved need to know that information in order to make informed assessment and decisions. Key to determining this will be the professional judgement of the risks to an individual or the public.

**Non-discriminatory** – agencies must be in a position to evidence that their decision to share information as part of a VTR Referral is not discriminatory.

#### 4. Identification

This section provides examples of *indicators* that might suggest vulnerability to violent extremism and which may therefore be useful in the VTR process. It should not be assumed that the characteristics and experiences set out necessarily indicate that a person is either committed to violent extremism or may become so.

**Expressed opinions** – these may include support for violence and terrorism, leadership of specific organisations and a rejection of the principle of the rule of law and the authority of any elected Government in this country.

**Material** – the following may be relevant:

- Possession of extremist literature and imagery in hard copy or digital form
- Attempts to access, become a member of or contribute to extremist websites and associated password protected chat rooms.
- Possession of material regarding weapons and or explosives
- Possession of literature regarding military training, skills and techniques.

**Behaviour and behavioural changes** – relevant may include, withdrawal from family, peers, social events and venues; hostility towards former associates and family, association with prescribed organisations; and association with organisations which hold extremist views that stop short of advocating violence in this country.

**Personal History** – the following maybe relevant:

- Claims or evidence of involvement in organisations voicing violent extremist ideology in this country or overseas
- Claims or evidence of attendance at military/terrorist training in the UK or overseas
- Claims or evidence of involvement in combat/violent activity, particularly on behalf of violent extremist non state organisations.

## **5. Referral Process – see Flow Chart Appendix D**

### **Channel Alert/Referral**

A VTR alert can come to the attention of statutory agencies in various ways. This could be through information or intelligence acquired or received by the police or partner agencies following an arrest or investigation that has not led to a charge or prosecution, or as a result of an acquittal. By contrast, the concern could be expressed by a parent to a teacher, other professional or indeed a community leader.

Full details of a VTR referral will be provided to the Multi Agency Safeguarding Hub, MASH, in the first instance. For out of hour's assistance please ring the Norfolk Police Contact and Control Room where the enquiry should be directed to the on call Detective Inspector.

A completed referral form should be sent to the MASH, with the full details needed for the preliminary assessment, (see Appendix A).

The MASH Triage area will carry out an initial screening process and then notify the Channel Co-ordinator. A referral should not continue through the VTR process if:

- it is malicious or misguided
- the person's engagement with the process would compromise or interfere with ongoing investigations into illegal activity
- it is clear the person is not vulnerable to violent extremism

The vulnerability indicators outlined in section 4 provide a general guide when assessing referrals. However, it must not be assumed that these characteristics and experiences will directly lead to individuals becoming violent extremists, or that these indicators are the only basis on which to make an appropriate decision at this stage.

### **The Channel Coordinator**

On receipt of a referral the Channel Coordinator will conduct a review of the information received. This review will be based on a professional judgement to ensure the referral meets the necessary threshold.

In applying the threshold test the individual circumstances associated with the referral must be taken into account. As a minimum there must be:

- Information evidencing a concern that the individual is either moving towards support for Terrorism.
- Or an attraction to Terrorism
- Or a vulnerability to Radicalisation

If this link is not present the case should not be managed under Channel and should immediately exit the process.

**If the Criteria are met the Coordinator will:**

- Record full details of the referral in the Case Management booklet, documenting all decisions and actions.
- Apply a continual assessment of the risk factors.
- Undertake security checks to establish suitability of referral to continue along the process. (This will ensure that there is no conflict with any other ongoing operations).

**Information Gathering**

Contact with Partners should be directed through previously established Single Points of Contact and should be fully documented by the Channel Coordinator.

If the referred individual is under the age of 18 and is suitable for further assessment the Channel Coordinator must liaise with the local FS Co-ordinator, the Safeguarding manager or social care officer in Children's Services via the MASH.

In some cases it may not be appropriate for an individual to continue through Channel due to involvement in other statutory support mechanisms (MAPPA and Safeguarding).

Where it is apparent that the person referred has vulnerabilities not linked to radicalisation and have needs that require support through other mechanisms they should be referred to the appropriate service providers.

*This initial information gathering ensures that only cases appropriate for the Channel process continue to the next stage for a strategy meeting and the development of an appropriate support package.*

**Risk Assessment / Vulnerability Indicators and Preliminary Assessment Decision**

Risk assessment is a continuous process from the point of referral to the point an individual exits the process.

The assessment of risk is a key function of the Channel Coordinator, the Preliminary assessment group and the multi-agency Panel.

The Preliminary assessment is led by the Channel coordinator and will include their line manager and will be conducted in consultation with senior leads within the MASH and other partners as deemed appropriate.

The preliminary assessment will collectively assess risk, in doing so consideration should be given to the risk the individual faces of being drawn towards or attracted towards terrorism and the risk the individual poses to society.

If during the Preliminary assessment it becomes apparent the referral is not in any way connected or applicable to the process the case can exit.

If the referral is deemed 'Suitable', the case will progress to the multi-agency panel.

### **Safeguarding Children and Multi-Agency Public Protection Arrangements**

In some cases it may not be appropriate for an individual to continue through the Channel Process because they are involved in a different statutory mechanism such as 'MAPPA' or child protection arrangements. Channel is not intended to replace those referral systems, in such cases the ownership will rest with the relevant statutory support mechanism and the case may exit the Channel process.

If the referred individual is under the age of 18 or where the local authority has a legal duty of care the Channel Coordinator must liaise with the Family Support Co-ordinator. For referrals relating to children or young people the statutory arrangements for safeguarding must take precedence.

## **6. Channel Strategy Meeting**

Following confirmation that the case is appropriate to continue through the VTR process, the referral should proceed to a strategy meeting and include the involvement of a wider range of partners.

This will be convened on a necessity basis only and will be chaired by the appropriate lead from within the MASH supported by the Channel Coordinator.

The partners will develop a support package based on the risk assessment, the needs of the individual and any risks posed to potential support providers. Partners may consider sharing information with each other, taking into account the points made in section three.

In assessing referrals the meeting may conclude that the individual is better suited to alternative support providers, or that further assessment indicates that the individual is not being drawn into violent extremism.

If the consensus is that support is required they should devise an appropriate support package. This should take the form of an action plan setting out details of the statutory or third sector partners who will lead on the delivery of the support.

One option for support through the Channel process which the multi agency panel may decide upon is the use of an 'Intervention provider'. This is Home Office funded and uses providers on an approved list to work with individuals around their individual ideologies.

The agencies invited should be any that have a role to play in the management of risk, so it is crucial to have non criminal justice system groups there.

### **Appraisal and Review**

To ensure an effective review process to decide whether the individual should remain on the programme the Coordinator is responsible for regularly liaising with the support provider and together with the multi agency panel assess the progress of the intervention.

There is no set review period as each intervention will be different and regular contact will have taken place between the intervention provider and the coordinator. Intervention providers should be submitting regular written updates on progress.

If the panel is satisfied that the risk has been successfully reduced or managed they should recommend that the case exits the process. A closing report will be submitted setting out the evidence for the panel's recommendation. The recommendations will need to be endorsed by the senior partners involved in the preliminary assessments.

### **Minute-Taking**

A confidentiality statement will be read out by the Chair at the start of the meeting and will appear in the minutes. (See Appendix C)

It will be the responsibility of the Chair to provide a minute-taker. The minutes will include a list of all the agreed actions plus any amendments to the basic information that might have become clear as a result of the meeting.

Action Points will be circulated within one working day of the panel meeting and minutes as soon as practicable.

## **7. Confidentiality and Security**

Information shared at any stage of the referral process is confidential and is to be used only for the purpose of the VTR process and any subsequent actions allocated to the receiving agency or group. It will be the responsibility of the disclosing agency/group to highlight any information which is particularly sensitive and to advise on the recording and storage arrangements for that information. Each agency/group is responsible for the secure recording and storage of any shared information and minutes of meetings, and for the secure deletion or return of the shared information once the agency/group is no longer involved in the VTR process in respect of that individual.





Appendix A

**Person Vulnerable to Radicalisation (VTR) Referral Form**  
**(RESTRICTED WHEN COMPLETE)**

*(Fields Expand for further information)*

**Full Name**

**(include other known names/maiden name etc)**

**Date and place of birth**

**Full Address:**

**Spouse/Partner's/Parents' Details**

**Children's/ Siblings' details**

**Reasons for Referral**

**Background and Risk Issues (include chronology if known)**

**Referrer's full name and position**

**Contact Details and Address:**

**Tel no:**

**Mobile:**

**Email:**

**Forward to referral to MASH –**

[MASHAdultSafeguarding@norfolk.pnn.police.uk](mailto:MASHAdultSafeguarding@norfolk.pnn.police.uk)

[MASHChildSafeguarding@norfolk.pnn.police.uk](mailto:MASHChildSafeguarding@norfolk.pnn.police.uk)

**MASH Tel No – 01603 276313**

**MASH Fax No – 01603 276327**

**Section 2 MASH Decision**

**Decision for VTR Yes/No**

**Category if Yes**

**If No, reasons:**

**Signed**

**Signed**

**Norfolk Constabulary**

**Children's Services / Adult Social Services**

**Referrer Notified of Outcome**

**Date/Time**

**Name**

**By whom**

## **APPENDIX B**

### Legal Grounds When Considering Sharing Information

#### **Protection against Unlawful and Unfair Disclosure**

<b>Legal Issues</b>	<b>Source</b>
Protection of personal data	Data Protection Act 1998
Duty of confidentiality	Common Law
Right to private and family life	Human Rights Act, Article 8

#### **Consent**

Obtaining the informed consent (and in the case of sensitive personal data, explicit consent) of the person of concern will satisfy the requirement under data protection to identify a condition for processing, and to override the duty of confidentiality and Article 8 of the Human Rights Act. However, for consent to be valid it must be:

- freely given
- based on clear information provided to the person of who will be involved in the sharing of the information and the purpose for the sharing
- capable of being withdrawn.

There may be reasons why consent cannot be obtained:

- Seeking consent may adversely affect existing engagement and relationships with the person of concern and may lead to them withdrawing from existing contacts.
- Seeking consent may inhibit the ability of agencies/groups to put in place support and risk management measures
- Some agencies may not wish it to be known that they hold information about the person.
- The person of concern may not be capable of understanding what they are giving their consent for, or may refuse.

Before any agency/group seeks consent from the person of concern this must be discussed at both the preliminary assessment and multi-agency panel stages and a decision made on whether consent is to be sought and by whom.

Where consent cannot be obtained or where a party does not intend to rely on consent for sharing information, agencies/groups must establish the legal basis for sharing.

## Sharing Without Consent

Some agencies may be able to rely on specific legislation or the circumstances of the particular referral might engage specific legislation. If specific legislation does apply, this will satisfy the condition for processing and override the duty of confidentiality and Article 8 Human rights Act. Examples are:

Circumstances	Legislation
Behaviour/risks indicate that the person of concern is <u>likely</u> to commit crime or disorder	Crime and Disorder Act 1998 – S.115 power to share information Section 29, Data Protection Act – exemption from non-disclosure provision where necessary for the prevention/detection of crime, apprehension/prosecution of offenders
Child protection – disclosure to/between social services or the police for the exercise of functions under the Children Act, where the public interest in safeguarding the child's welfare overrides the need to keep the information confidential	The Children Act
Adult protection - disclosure to/between social services or the police for the exercise of functions under statutory code of practice, where the public interest in safeguarding the vulnerable adult's welfare overrides the need to keep the information confidential	Statutory code of practice for safeguarding vulnerable adults
Public Protection – where the individual is subject to management under the Multi-Agency Public Protection Arrangements (MAPPA)	Criminal Justice Act 2003
Offender management – when the individual is a recent offender	Offender Management Act 2007
An order issued by the Court	

Where there is no specific legislation each agency/group must identify a relevant condition for processing under schedule 2 (and for sensitive personal data schedule 3) of the Data Protection Act 1998. The most relevant conditions are:

Condition	Schedule
To protect vital interests of the data subject; serious harm or matter of life or death	Schedule 2 & 3
For the administration of justice (usually bringing perpetrators to justice)	Schedule 2 & 3

For the legitimate interest of the data controller and/or the parties to whom the data are disclosed, except where disclosure causes unwarranted prejudice to the person of concern	Schedule 2
For medical purposes and is undertaken by a health professional or person who owes equivalent duty of confidentiality	Schedule 3
For the prevention/detection of any unlawful act where disclosure is in the significant public interest	Schedule 3
For the provision of confidential counselling, advice, support or other service, where disclosure is in the significant public interest AND seeking consent would prejudice the provision of the service	Schedule 3
For the exercise of any functions conferred on a police constable under any rule of law (includes common law)	Schedule 3
Right to life Right to be free from torture or inhuman or degrading treatment	Human Rights Act, Articles 2 & 3

## Balancing Principles

When considering whether to share information *in that particular case*, each agency/group should consider the following to determine whether the sharing is in the public interest and is fair and reasonable:

Proportionate, relevant and necessary disclosures	<ul style="list-style-type: none"> <li>• Has gaining consent been considered</li> <li>• Respective risks to those affected</li> <li>• Pressing need</li> <li>• Need to know of other agencies</li> <li>• What information to share to achieve the objective</li> </ul>
<p>Public interest in disclosure:</p> <p>Consider whether this overrides the duty of confidentiality and the right to private life</p>	<ul style="list-style-type: none"> <li>• The administration of justice;</li> <li>• Maintaining public safety;</li> <li>• The apprehension of offenders;</li> <li>• The prevention of crime and disorder;</li> <li>• The detection of crime;</li> <li>• The protection of vulnerable members of the community.</li> <li>• Is the intended disclosure proportionate to the intended aim?</li> <li>• What is the vulnerability of those who are at risk?</li> <li>• What is the impact of disclosure likely to be on the offender?</li> <li>• Is there another equally effective means of achieving the same aim?</li> <li>• Is the disclosure necessary to prevent or detect crime and uphold the rights and freedoms of the public?</li> <li>• Is it necessary to disclose the information, to protect other vulnerable people?</li> </ul>
Human Rights Act	Ensure that the actions taken by public sector bodies are not discriminatory in order to comply with the above.

## **APPENDIX C**

### **Confidentiality Statement**

Attendees are reminded that all information shared in this meeting is confidential and is shared and recorded only for the purpose of the meeting. You are reminded of your obligations under the Norfolk Safeguarding Boards Guidance and under the Data Protection Act 1998.

Information shared and recorded as part of this meeting will not be disclosed outside of the meeting other than for official purposes that have been sanctioned by the members of the meeting. Similarly, other than via official minutes, no attendees will make a record of another agency's information for any purposes other than those sanctioned by the members of the meeting. Information shared should not be discussed with the subject unless the owner of the information has given approval.

## APPENDIX D

