

Report to Audit and Governance Committee



Date of Meeting	
Portfolio	Councillor Wardle Cabinet Member for Corporate Delivery
Report Author	Michael Garraway
Public/Private Document	Public

Local Authority Constitution - Channel Duty Guidance 2020

Executive Summary

- 1.1 To inform Audit and Governance Committee of amendments to the Council's Constitution as a result of decisions taken by the Monitoring Officer.
- 1.2 The Counter Terrorism and Security Act 2015 (CTSA) and the Counter Terrorism Strategy 2018 placed a Prevent duty upon local authorities in the exercise of their functions, to have due regard to the need to prevent people from being drawn into terrorism.
- 1.3 Section 36 of the CTSA sets out a duty on local authorities to lead on support and early intervention to reduce the risk of radicalisation through a process known as 'Channel' and a multi-agency 'Channel Panel'.
- 1.4 Channel Duty Guidance: Protecting people vulnerable to being drawn into terrorism issued in 2020 requires Channel to be reflected in relevant local policy, guidance and the local authority's constitution.
- 1.5 There is a statutory requirement to designate an Officer as the strategic safeguarding lead for Prevent and Channel with responsibilities for ensuring compliance by the Council.

Recommendation

- 2.1 That the Committee notes the decision of the Monitoring Officer to update the list of Statutory and Proper Officers in the Constitution to record the designation of the Director of Children's Services as the Council's strategic safeguarding responsibility for Prevent and Channel.
- 2.2 Members are asked to note that the Director of Children's Services is designated Statutory and Proper Officer for the Council who will undertake the

specific responsibilities for ensuring the duties stated within the CTSA are upheld by the Council

Reason for Recommendation

- 3.1 The Monitoring Officer has authority to amend the Constitution arising from legislative change.
- 3.2 Updated Channel Duty guidance was published in autumn 2020 and requires the local authority to reflect this Channel Duty within its constitution.

Key Points for Consideration

- 4.1 The new Channel Duty guidance was published in autumn 2020 and requires partners on Channel delivery (that is, those authorities listed in Schedule 7 to the CTSA) to co-operate with Channel panels and the police in the carrying out of their respective functions under section 36 of the CTSA.
- 4.2 Channel is a programme which focuses on providing support at an early stage to people who are identified as being vulnerable to being drawn into terrorism. Channel refers to panels operating in England and Wales.
- 4.3 As a designated statutory duty, the guidance states that the requirements of Channel should be reflected in relevant local policy, guidance and the local authority's constitution.
- 4.4 This duty also needs to be considered due to the continuation of the national Independent Review for Prevent which was announced by the Government on the 26th January 2021.

Alternatives Considered

- 4.5 There are no alternatives due to the statutory requirement of the inclusion of Section 36 and Channel to be included in the local authority constitution.

Costs and Budget Summary

- 5.1 There are no costs associated with this proposal due to the statutory requirement of the inclusion of Section 36 and Channel to be included in the local authority constitution.

Risk and Policy Implications

- 6.1 There are no risks associated to this due to the statutory requirement of the inclusion of Section 36 and Channel to be included in the local authority constitution.

6.2 The council Channel Panel policy has been updated to reflect changes following the updated Channel Duty Guidance 2020 and will also be updated following the outcome of the Independent Review for Prevent.

Consultation

7.1 Consultation is not required due to the statutory requirement of the inclusion of Section 36 and Channel to be included in the local authority constitution.

Background Papers	Place of Inspection
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8.1	None	
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