

British Values & The Prevent Duty

September 2015

The Statutory Framework for the Early Year Foundation Stage (2014) links with the expectation that early years practitioners will promote fundamental British values and comply with the Prevent Duty.

The extracts below show what the expectations are and how practitioners meet the requirements.

- Early years settings have responsibility to meet the following:
- provide staff with sufficient training to be able to recognise this vulnerability (Radicalisation) and be aware of what action to take in response
- understand when to make referrals to the Channel programme and where to get additional advice and support. (Report concerns to MASH for OCC settings)
- keep children safe and promote their welfare
- be alert to any safeguarding and child protection issues in the child's life at home or elsewhere (paragraph 3.4 EYFS)
- take action to protect children from harm and be alert to harmful behaviour by other adults in the child's life.
- focus on children's personal, social and emotional development
- ensure children learn right from wrong, mix and share with other children and value other's views, know about similarities and differences between themselves and others, and challenge negative attitudes and stereotypes (in an age appropriate way)

To do this practitioners will:

- Listen to children
- Share appropriate information with parents
- Listen to parents
- Report concerns
- Challenge negative behaviour
- Focus on what children need
- Support **children's Personal, social and emotional development** by helping children to develop a positive sense of themselves, and others; to form positive relationships and develop respect for others; to develop social skills and learn how to manage their feelings; to understand appropriate behaviour in groups; and to have confidence in their own abilities.

That providers will actively promote fundamental British values and not promote views or theories as fact which are contrary to established scientific or historical evidence and explanations;

- Democracy
- The rule of law
- Individual liberty
- Mutual respect
- Tolerance of different faiths and beliefs

Extracts from the Prevent Duty Guidance 2015 for Early Years

- **New 'Prevent Duty' comes into force** The Counter Terrorism and Security Act 2015 came into effect earlier this year. One of its provisions was to place a duty on certain specified authorities and organisations to prevent people from being drawn into terrorism.
- This duty is known as the 'Prevent Duty'. The Prevent Duty comes into force on 1 July 2015 and will be included in Ofsted inspections from September this year.
- Download the Home Office's guidance on the Prevent Duty
 - The Prevent Duty Guidance defines **extremism** as “vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance for those with different faiths and beliefs. We also include in our definition of extremism calls for the death of members of our armed forces, whether in this country or overseas.” Such staff should have sufficient training to be able to recognise this vulnerability and be aware of what action to take in response. This will include an understanding of when to make referrals to the Channel programme and where to get additional advice and support.

Early years providers serve arguably the most vulnerable and impressionable members of society.

The Early Years Foundation Stage (EYFS) accordingly places clear duties on providers to keep children safe and promote their welfare. It makes clear that to protect children in their care, providers must be alert to any safeguarding and child protection issues in the child's life at home or elsewhere (paragraph 3.4 EYFS).

Early years providers must take action to protect children from harm and should be alert to harmful behaviour by other adults in the child's life.

Early years providers already focus on children's personal, social and emotional development. The Early Years Foundation Stage framework supports early years providers to do this in an age appropriate way, through ensuring children learn right from wrong, mix and share with other children and value other's views, know about similarities and differences between themselves and others, and challenge negative attitudes and stereotypes.

This guidance should be read in conjunction with other relevant guidance. In England, this includes Working Together to Safeguard Children, Keeping Children Safe in Education and Information Sharing: Her Majesty's Government advice for

- professionals providing safeguarding services to children, young people, parents and carers.
- <https://www.gov.uk/government/publications/working-together-to-safeguard-children>
- <https://www.gov.uk/government/publications/keeping-children-safe-in-education>

Education and childcare specified authorities - The education and childcare specified authorities in Schedule 6 to the Act are as follows:

- the proprietors³ of maintained schools, non-maintained, special schools, maintained nursery schools, independent schools (including academies and free schools) and alternative provision academies⁴
- pupil referral units
- registered early years childcare providers
- registered later years childcare providers⁶
- providers of holiday schemes for disabled children
- persons exercising local authority functions under a direction of the Secretary of State when the local authority is performing inadequately; and
- persons authorised by virtue of an order made under section 70 of the Deregulation and Contracting Out Act 1994 to exercise a function specified in Schedule 36A to the Education Act 1996.
- In fulfilling the new duty, we would expect the specified authorities listed above to
- demonstrate activity in the following areas

Risk assessment

- Specified authorities are expected to assess the risk of children being drawn into terrorism, including support for extremist ideas that are part of terrorist ideology. This should be based on an understanding, shared with partners, of the potential risk in the local area.
- Specified authorities will need to demonstrate that they are protecting children and young people from being drawn into terrorism by having robust safeguarding policies in place to identify children at risk, and intervening as appropriate. Institutions will need to consider the level of risk to identify the most appropriate referral, which could include Channel or Children's Social Care, for example. These policies should set out clear protocols for ensuring that any visiting speakers – whether invited by staff or by children themselves – are suitable and appropriately supervised.
- **Working in partnership**
- In England, governing bodies and proprietors of all schools and registered childcare providers should ensure that their safeguarding arrangements take into account the policies and procedures of the Local Safeguarding Children Board (LSCB).
- Early education funding regulations in England have been amended to ensure that providers who fail to promote the fundamental British values of democracy, the rule of law, individual liberty and mutual respect and tolerance for those with different faiths and beliefs do not receive funding from local authorities for the free early years entitlement.
- Ofsted's current inspection framework for early years provision reflects the requirements in the Statutory Framework for the Early Years Foundation Stage.

Ofsted September 2015 Early years inspection handbook includes Equality, British values and radicalisation.

	Grade1	Grade 2	Grade 3	Grade 4
	Outstanding	Good	Requires improve	Inadequate
Effectiveness of Leadership and Management	The promotion of equality, diversity and British values is at the heart of the setting's work. It is demonstrated through all its practices, including tackling any instances of discrimination and being alert to potential risks from radicalisation and extremism	Leadership and managers actively promote equality, diversity and British values through all policies and practice. They tackle instances of discrimination effectively.	Leadership and management are not yet good. Any breaches of statutory requirements do not have a significant impact on children's safety, well-being or learning and development	Leaders fail to recognise and/or tackle instances of discrimination. Equality, diversity and British values are not actively promoted in practice
Quality of Teaching, Learning and assessment	Practitioners provide an exceptional range of resources and activities that reflect and value the diversity of children's experiences. They actively challenge gender, cultural and racial stereotyping and help children gain an understanding of people, families and communities beyond their immediate experience.	Practitioners provide a wide range of opportunities for children to learn about people and communities beyond their immediate experience. Resources and activities reflect and value the diversity of children's backgrounds and experiences.	The provision is not yet good Any breaches of the statutory requirements do not have a significant impact on children's learning and development	Practitioners do not promote equality and diversity or extend children's understanding of communities beyond their immediate environment.
Personal development, behaviour and welfare	Practitioners give children a wide range of experiences that promote understanding of people, families and communities beyond their own. They teach children the language of feelings and give them opportunities	Children are learning to respect and celebrate each other's differences. They develop an understanding of diversity beyond their immediate family experience through a range of activities that teach them effectively about people in the wider world.	Provision to support children's personal development, behaviour and welfare is not yet good. Any breaches of the statutory requirements for safeguarding and welfare and/or learning and development do not have a significant impact on children's safety, well-being and personal development.	Children have a narrow experience that does not promote their understanding of people and communities beyond their own or help them to recognise and accept each other's differences.

Equalities Act 2010

- The British Values and Prevent duty relate to the Equality Act 2010, as the Organisations that perform 'public functions' (such as a PVI setting offering the Free Entitlement) are also covered by these duties to:
- eliminate unlawful discrimination, harassment or victimisation
- advance equality of opportunity between people who share a protected characteristic, and those who do not
- foster good relations between people who share a protected characteristic, and those who do not.

Protected Characteristics

- The Equality Act covers the following 'protected characteristics':
 - race/ethnicity
 - gender
 - gender reassignment/gender identity
 - disability
 - religion and belief
 - pregnancy/maternity
 - sexual orientation
 - (**age** and **marriage/civil partnerships** are also protected under 'employment' within the Act).

Effective Practice

Democracy: making decisions together

As part of the focus on self-confidence and self-awareness as cited in Personal, Social and Emotional Development:

Managers and staff can encourage children to see their role in the bigger picture, encouraging children to know their views count, value each other's views and values and talk about their feelings, for example when they do or do not need help. When appropriate demonstrate democracy in action, for example, children sharing views on what the theme of their role play area could be with a show of hands.

Staff can support the decisions that children make and provide activities that involve turn-taking, sharing and collaboration. Children should be given opportunities to develop enquiring minds in an atmosphere where questions are valued.

Rule of law: understanding rules matter as cited in Personal Social and Emotional development

As part of the focus on managing feelings and behaviour: Staff can ensure that children understand their own and others' behaviour and its consequences, and learn to distinguish right from wrong.

Staff can collaborate with children to create the rules and the codes of behaviour, for example, to agree the rules about tidying up and ensure that all children understand rules apply to everyone.

Individual liberty: freedom for all

As part of the focus on self-confidence & self-awareness and people & communities as cited in Personal Social and Emotional development and Understanding the World:

Children should develop a positive sense of themselves. Staff can provide opportunities for children to develop their self-knowledge, self-esteem and increase their confidence in their own abilities, for example through allowing children to take risks on an obstacle course, mixing colours, talking about their experiences and learning.

Staff should encourage a range of experiences that allow children to explore the language of feelings and responsibility, reflect on their differences and understand we are free to have different opinions, for example in a small group discuss what they feel about transferring into Reception Class.

Mutual respect and tolerance: treat others as you want to be treated

As part of the focus on people & communities, managing feelings & behaviour and making relationships as cited in Personal Social and Emotional development and Understanding the World:

Managers and leaders should create an ethos of inclusivity and tolerance where views, faiths, cultures and races are valued and children are engaged with the wider community.

Children should acquire a tolerance and appreciation of and respect for their own and other cultures; know about similarities and differences between themselves and others and among families, faiths, communities, cultures and traditions and share and discuss practices, celebrations and experiences.

Staff should encourage and explain the importance of tolerant behaviours such as sharing and respecting other's opinions.

Staff should promote diverse attitudes and challenge stereotypes, for example, sharing stories that reflect and value the diversity of children's experiences and providing resources and activities that challenge gender, cultural and racial stereotyping.

A minimum approach, for example having notices on the walls or multi-faith books on the shelves will fall short of 'actively promoting'.

What is not acceptable is:

- actively promoting intolerance of other faiths, cultures and races
- failure to challenge gender stereotypes and routinely segregate girls and boys
- isolating children from their wider community
- failure to challenge behaviours (whether of staff, children or parents) that are not in line with the fundamental British values of democracy, rule of law, individual liberty, mutual respect and tolerance for those with different faiths and beliefs

Glossary

- **‘Having due regard’** means that the authorities should place an appropriate amount of weight on the need to prevent people being drawn into terrorism when they consider all the other factors relevant to how they carry out their usual functions.
- **‘Extremism’** is defined in the 2011 Prevent strategy as vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. We also include in our definition of extremism calls for the death of members of our armed forces, whether in this country or overseas.
- **‘Interventions’** are projects intended to divert people who are being drawn into terrorist activity. Interventions can include mentoring, counselling, theological support, encouraging civic engagement, developing support networks (family and peer structures) or providing mainstream services (education, employment, health, finance or housing).
- **‘Non-violent extremism’** is extremism, as defined above, which is not accompanied by violence.
- **‘Prevention’** in the context of this document means reducing or eliminating the risk of individuals becoming involved in terrorism. Prevent includes but is not confined to the identification and referral of those at risk of being drawn into terrorism into appropriate interventions. These interventions aim to divert vulnerable people from radicalisation.
- **‘Radicalisation’** refers to the process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups.
- **‘Safeguarding’** is the process of protecting vulnerable people, whether from crime, other forms of abuse or (in the context of this document) from being drawn into terrorist related activity.
- The current UK definition of **‘terrorism’** is given in the Terrorism Act 2000 (TACT 2000). In summary this defines terrorism as an action that endangers or causes serious violence to a person/people; causes serious damage to property; or seriously interferes or disrupts an electronic system. The use or threat must be designed to influence the government or to intimidate the public and is made for the purpose of advancing a political, religious or ideological cause.
- **‘Terrorist-related offences’** are those (such as murder) which are not offences in terrorist legislation, but which are judged to be committed in relation to terrorism.

- **'Vulnerability'** describes the condition of being capable of being injured; difficult to defend; open to moral or ideological attack. Within Prevent, the word describes factors and characteristics associated with being susceptible to radicalisation