CARD 11
Safeguarding and the Government’s anti-radicalisation Prevent strategy
Section 26 of the Counter-Terrorism and Security Act 2015 places a duty on health authorities to have ‘due regard to the need to prevent people from being drawn into terrorism’. The Act does not confer new functions on any authority, but imposes a duty to consider how to prevent people from being drawn into terrorism in the exercise of their ordinary duties. In turn, health staff are placed under a general duty, as part of their ordinary work, to be alert to those who may be at risk of being drawn into terrorism and to refer as appropriate.

As the legislation makes clear, the Prevent duty exists in a ‘pre-criminal space’. Its purpose is to identify those at risk of being drawn into terrorism, not to identify those who already present a terrorist threat. It creates no new duties for doctors.

**Disclosure of information**

As part of the Prevent duty, where health professionals identify individuals who may be at risk of being drawn into terrorism, they will ordinarily refer them to the relevant Prevent lead. As mentioned, the Counter-Terrorism and Security Act creates no new obligations regarding disclosure of information or exceptions to the usual rules on confidentiality. Therefore, information must be disclosed in accordance with the law and professional duties.

Confidential patient information can ordinarily be disclosed:
- where it is shared within the healthcare team for the purpose of providing care and treatment to the patient – in these circumstances, consent is understood to be implied
Disclosure in the public interest

Information can be disclosed without consent if necessary, where there is an overriding public interest at stake.

Ordinarily disclosure will be justified in the public interest where it is necessary to prevent a serious and imminent threat to public health, national security, the life of the individual or a third party, or to prevent or detect a serious crime. This would also include those planning or carrying out terrorist activities or those who have carried out such activities in the past. These duties remain unchanged following Prevent.