



Weapons Policy and practice guidance 2019

Introduction

The purpose of this policy/practice guidance is to state clearly that the **deliberate** and **intentional** bringing in and use of weapons on our school site will not be tolerated. The use of such weapons on site would create unacceptable risks of bullying, injury and death and is extremely intimidating and frightening for pupils and adults alike.

If a pupil deliberately and intentionally brings a weapon onto the school site, the pupil will be placed on a fixed term exclusion and a disciplinary hearing will be carried out.

Purpose and aim

At Sunnyside Academy the purpose of this policy/practice guidance is to set out clearly the preventative actions in place to prevent the use of any weapons on our site. This policy/practice guidance will also show the direct actions a school will take around the use of weapons on site taking into account the full context around each and every incident.

We are committed to the safety and well-being of all of our pupils, staff and parents and will always take immediate action to reduce the risk of harm to any individual on our school site.

What is a weapon

For the purpose of this Policy a “weapon” is:

- a firearm of any description, including starting pistols, air guns and any type of replica or toy gun, pellet guns or BB guns;
- knives, including all variations of bladed objects ie: pocket knives, craft knives, scissors etc;
- explosives, including fireworks, aerosol sprays, lighters, matches;
- laser pens or other objects, even if manufactured for a non-violent purpose but has a potentially violent use ie: the purpose of keeping or carrying the object is for use, or threat of use, as a weapon.
- Num chukkas, death stars and other martial arts objects.
- Screwdrivers, hammers, chisels, bradles and any tool that could be offensively used.
- Razor, razor blades or chains.

Preventative Strategies

Recognition

For all schools and settings, it is important to develop appropriate strategies in order to prevent the issue of weapon misuse or any contextual issues around the misuse of weapons such as children having them to ‘feel safe’ from peers or gangs.

Firstly, and most importantly for schools and settings is recognition that incidents where children bring weapons onto site may happen intentionally as well as unintentionally even with the most stringent of policies. In these cases the immediate actions taken by staff must be prompt and consistent and therefore ALL staff must know and understand this policy and the expectations of keeping children safe.

In any circumstance where this occurs it is important that senior leaders take forward any learning from such incidents to improve policy, revise training and improve practice.

Creating a safeguarding culture

In order for pupils and staff to feel safe it is necessary that everyone agrees to and works within the school's ethos and culture of vigilance and positively contributes to the sharing of information where there may be risk. By creating a strong culture of safeguarding within school all individuals accessing the site should feel safe to raise concerns, seek support and for a seamless and consistent response to incidents to be followed. In order to create this environment the whole workforce and pupils should receive appropriate learning and training around the expectations upon them in the event that a weapon may be brought onto site. This includes, how to raise the alarm, procedures for lockdown, use of social media and critical incident response. Staff and pupils should feel able to contribute to this learning/training to understand what to do in a number of potentially different circumstances.

Effective use of the curriculum

Having an effective curriculum in place via SMSC or PSHE should support pupils in understanding the risks around the use of weapons, the legal implications of carrying weapons and the school's response to such incidents. A curriculum that allows strong discussion around the use of weapons may act preventatively to allow pupils to think twice about the consequences of carrying a weapon and equally may create opportunities for pupils to share useful intelligence around peer on peer abuse, gang related behaviours and contextual issues in the local area that may impact on the increased use of weapons. Any such intelligence shared would need to be passed on to the appropriate front door services, police and social care.

Working with parents/carers

Parents/carers need to be aware of the school's stringent policy around weapons and support the decision made by senior leaders in the event of an incident. Parents should always be vigilant of the behaviours of their own children and seek support and intervention when necessary. If parents believe that their child may be carrying a weapon they should inform the **school immediately** and the **police** in order to protect not only their child but other children and adults. By sharing the information immediate intervention can be offered and a plan of support and services could be put in place without an incident occurring. By continuing good communication between home and school a positive safety plan could be created to manage the safety and the well-being of any child who may need it.

Working with partnership agencies/signposting services

Multi agency working can consolidate in house procedures in schools/settings. By accessing advice, support and guidance when required, effective decisions can be made in collaboration to improve outcomes for children who may be at risk of harm. Seeking advice and guidance can act as a preventative measure so that the right course of action is taken at the earliest opportunity. If schools continue to promote positive working relationships with front door services such as the police and social care, effective responses and partnership working can achieve positive outcomes for children.

It is important that signposting is also available to pupils in the event that they don't feel confident raising an issue to staff or a peer. It is useful to have a resource board with support services on a wide range of issues so young people can seek their own solutions should they wish to. In the same way external services or support programmes could be brought in to talk to young people about specific issues in support of the prevention of peer on peer abuse.

Searching, Confiscation and Screening

Searching

School staff can search a pupil for any item if the pupil agrees.

Headteachers and staff authorised by them have a statutory power to search pupils or their possessions, without consent, where they have reasonable grounds for suspecting that the pupil may have a prohibited item.

Confiscating

School staff can seize any prohibited item found as a result of a search. They can also seize any item, they consider harmful or detrimental to school discipline.

Screening

What the law allows:

Schools can require pupils to undergo screening by a walk-through or hand-held metal detector (arch or wand) even if they do not suspect them of having a weapon and without the consent of the pupils.

Schools' statutory power to make rules on pupil behaviour and their duty as an employer to manage the safety of staff, pupils and visitors enables them to impose a requirement that pupils undergo screening.

Any member of school staff can screen pupils.

If a pupil refuses to be screened, the school may refuse to have the pupil on the premises. Health and safety legislation requires a school to be managed in a way which does not expose pupils or staff to risks to their health and safety and this would include making reasonable rules as a condition of admittance.

If a pupil fails to comply, and the school does not let the pupil in, the school has not excluded the pupil and the pupil's absence should be treated as unauthorised. The pupil should comply with the rules and attend.

This type of screening, without physical contact, is not subject to the same conditions as apply to the powers to search without consent.

Searching with consent

School staff can search pupils with their consent for any item.

Schools are not required to have formal written consent from the pupil for this sort of search – it is enough for the teacher to ask the pupil to turn out his or her pockets or if the teacher can look in the pupil's bag or locker and for the pupil to agree.

Schools should make clear in their school behaviour policy and in communications to parents and pupils what items are banned.

If a member of staff suspects a pupil has a banned item in his/her possession, they can instruct the pupil to turn out his or her pockets or bag and if the pupil refuses, the teacher can apply an appropriate punishment as set out in the school's behaviour policy.

A pupil refusing to co-operate with such a search raises the same kind of issues as where a pupil refuses to stay in a detention or refuses to stop any other unacceptable behaviour when instructed

by a member of staff – in such circumstances, schools can apply an appropriate disciplinary penalty.

Searching without consent

What can be searched for? (for the purposes of this policy)

Knives or weapons,

Any article that the member of staff reasonably suspects has been, or is likely to be, used to commit an offence, or to cause personal injury, or damage to property; and

Any item banned by the school rules which has been identified in the rules as an item which may be searched for.

Who can search?

A headteacher, or a member of school staff authorised by the headteacher.

Under what circumstances?

You must be the same sex as the pupil being searched; and there must be a witness (also a staff member) and, if possible, they should be the same sex as the pupil being searched.

There is a limited exception to this rule. You can carry out a search of a pupil of the opposite sex to you and / or without a witness present, but only where you reasonably believe that there is a risk that serious harm will be caused to a person if you do not conduct the search immediately and where it is not reasonably practicable to summon another member of staff.

When can you search?

If you have reasonable grounds for suspecting that a pupil is in possession of a prohibited item.

The law also says what must be done with prohibited items which are seized following a search.

The requirement that the searcher is the same sex as the pupil and that a witness is present will continue to apply in nearly all searches. Where it is practicable to summon a staff member of the same sex as the pupil and a witness then the teachers wishing to conduct a search must do so.

Authorising members of staff

Headteachers should decide who to authorise to use these powers. There is no requirement to provide authorisation in writing.

Staff, other than security staff, can refuse to undertake a search. The law states that headteachers may not require anyone other than a member of the school security staff to undertake a search.

Staff can be authorised to search for some items but not others; for example, a member of staff could be authorised to search for stolen property, but not for weapons or knives.

A headteacher can require a member of the school's security staff to undertake a search.

If a security guard, who is not a member of the school staff, searches a pupil, the person witnessing the search should ideally be a permanent member of the school staff, as they are more likely to know the pupil.

Training for school staff

When designating a member of staff to undertake searches under these powers, the headteacher should consider whether the member of staff requires any additional training to enable them to carry out their responsibilities.

Establishing grounds for a search

School staff can only undertake a search without consent if they have reasonable grounds for suspecting that a pupil may have in his or her possession a prohibited item. The member of staff must decide in each particular case what constitutes reasonable grounds for suspicion. For example, they may have heard other pupils talking about the item or they might notice a pupil behaving in a way that causes them to suspect that the pupil is concealing a prohibited item.

In the exceptional circumstances when it is necessary to conduct a search of a pupil of the opposite sex or in the absence of a witness, the member of staff conducting the search should bear in mind that a pupil's expectation of privacy increases, as they get older.

The powers allow school staff to search regardless of whether the pupil is found after the search to have that item. This includes circumstances where staff suspect a pupil of having items such as illegal drugs or stolen property which are later found not to be illegal or stolen.

School staff may wish to consider utilising CCTV footage in order to make a decision as to whether to conduct a search for an item.

Any weapons or items which are evidence of an offence must be passed to the police as soon as possible.

Taken from Searching, screening and confiscation: advice for headteachers, school staff and governing bodies, January 2018

Taking action in the event of a weapon on site

If it has been identified that a weapon is on site and the appropriate searching and confiscating has occurred, then the school must begin a full and thorough investigation into what has occurred. If it can be proven that a weapon was brought on site with intent to harm then immediate action should occur including contacting the police and parents immediately. The pupil should be isolated immediately.

If the weapon has been identified because it has been used to harm e.g. another pupil or member of staff, the school should instigate its critical incident management protocols immediately inclusive of lock down procedures, secure and isolate the student and weapon if possible and again contact the police immediately.

If the context of the situation is not so easily identified then a full and thorough investigation is required to establish the school's next course of action.

Gathering the facts

In all circumstances, staff need to speak to all the pupils involved separately, gain a statement of facts from them and use **consistent language** and **open questions** for each account. The easiest way to do this is not to have a line of questioning but to ask the pupils to tell you what happened. Only interrupt the pupil from this to gain clarity with open questions, 'where, when,

why, who'. (What happened? Who observed the incident? What was seen? What was heard? Did anyone intervene?) A full and clear record of exactly what the pupil has said in their own language should be made (and no individual interpretation of the facts made which could impact on the disclosure) and stored following each school/setting's own recording protocols (paper or electronic systems).

Consider intent

From the information gathered the next step would be to consider intent. Did the pupil intend to bring a weapon onto the school site in order to harm someone in a deliberate act or did the young person bring the weapon on site as a form of defence or for their own safety? Both situations are of equal concern, however one shows a deliberate attempt of harm and both circumstances may have different outcomes.

Deciding on the next course of action

From the outcome of the investigation the school must decide on the level of risk the pupil poses in school. If the risk is clear and the intent is obvious then a fixed term exclusion and a disciplinary hearing may follow or the decision to permanently exclude may be made following the necessary protocols. However depending on the intent, the age of the child and also the circumstances surrounding the incident or the contextual issues it may be a fixed term exclusion is given followed by a risk assessment/safety plan put in place following the pupil's return to school.

Returning to school/safety planning

Safety planning is a positive way of supporting a child who may benefit from a planned approach to support or intervention following an incident where a weapon has been brought to school. Safety plans support the child by considering the behaviour behind the use of a weapon and plan ways to manage any identified risks/triggers and seek support from adults and peers. They are inclusive of parents and staff and are a planned intervention to support young people in feeling secure in the school/setting, helping young people identify behaviours that may leave them feeling anxious or at risk and have strategies that they can apply to keep themselves feeling safe. The language of safety planning is more positive than risk assessment and can give security to the child that a joined up approach is being followed by all in school.

Review of Circumstances

Following any incident of harm, it is necessary for the school/setting to consider if anything could have been done differently. This demonstrates how proactive the school is in continually reviewing its policies and systems in effectively keeping children safe.

This policy /practice guidance has been heavily supported by the following key documents:

Searching, screening and confiscation: advice for headteachers, school staff and governing bodies, January 2018

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/674416/Searching_screening_and_confiscation.pdf

Farrer and Co: Peer on Peer Abuse Toolkit 2019.

<https://www.farrer.co.uk/globalassets/news-articles/downloads/peer-on-peer-abuse-toolkit-14.pdf>

SF Peer on Peer Abuse Policy, 2019

This policy /practice guidance should be read in conjunction with:

DFE: Keeping Children Safe in Education. September 2019

Child Protection Policy

Peer on Peer Abuse Policy

Behaviour and Discipline Policy

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