

**TRINITY ACADEMY NEWCASTLE TRUST**

**Weapons Policy and Practice Guidance**

**Approved by the Committee – July 2020  
On behalf of the Board**

**Next review date – July 2021**

## **Weapons Policy and practice guidance**

### **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 academy 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 learners and adults alike.

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

### **Purpose and aim**

At Trinity Academy Newcastle Trust (The Trust) 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 an academy will take around the use of weapons on site taking into account the full context around each and every incident.

At The Trust we are committed to the safety and well-being of all of our learners, staff and parents and will always take immediate action to reduce the risk of harm to any individual on our academy 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, ammonia 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 academies 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 academies 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 learners and staff to feel safe it is necessary that everyone agrees to and works within the academy'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 academies 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 learners 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 learners 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 learners in understanding the risks around the use of weapons, the legal implications of carrying weapons and the Trust's response to such incidents. A curriculum that allows strong discussion around the use of weapons may act preventatively to allow learners to think twice about the consequences of carrying a weapon and equally may create opportunities for learners 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**

Parents need to be aware of the Trust'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 their **academy 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 the academy 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 our academies. 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 the academies 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 learners 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. The Trust have a support notice board for student to seek advice from with information regarding Crime stoppers Fearless campaign as well and online services such as Kooth.com. Trust staff will also share any information with the Local Community Support Policing Team and liaise with them in regards to early intervention. External services or support programmes are 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**

Academy staff can search a learner for any item if the learner agrees.

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

### **Confiscating**

Academy 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 academy discipline.

### **Screening**

What the law allows:

Academies can require learners 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 learners.

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

Any member of academy staff can screen learners.

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

If a learner fails to comply, and the academy does not let the learner in, the academy has not excluded the learner and the learner's absence should be treated as unauthorised. The learner 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**

Academy staff can search learners with their consent for any item.

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

Academies should make clear in their academy behaviour policy and in communications to parents and learners what items are banned.

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

A learner refusing to co-operate with such a search raises the same kind of issues as where a learner refuses to stay in a detention or refuses to stop any other unacceptable behaviour when instructed by a member of staff – in such circumstances, academies 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 academy 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 academy staff authorised by the headteacher.

Under what circumstances?

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

There is a limited exception to this rule. You can carry out a search of a learner 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 learner 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 learner 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 learner 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 can refuse to undertake a search. The law states that headteachers may not require anyone 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.

### **Training for academy 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**

Academy staff can only undertake a search without consent if they have reasonable grounds for suspecting that a learner 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 learners talking about the item or they might notice a learner behaving in a way that causes them to suspect that the learner is concealing a prohibited item.

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

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

Academy 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, academy 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 academy 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 learner should be isolated immediately.

If the weapon has been identified because it has been used to harm e.g. another learner or member of staff, the academy should instigate its critical incident management protocols immediately inclusive of lock down procedures,(See 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 academy's next course of action.

### **Gathering the facts**

In all circumstances, staff need to speak to all the learners 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 learners to tell you what happened. Only interrupt the learner 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 learner 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 academy/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 learner intend to bring a weapon onto the academy 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 academy must decide on the level of risk the learner poses in academy. 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 learner's return to academy.

### **Returning to academy/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 academy. 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 academy/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 academy.

### **Review of Circumstances**

Following any incident of harm, it is necessary for the academy to consider if anything could have been done differently. Use of PG:SF proforma for internal lessons learnt, can support in identifying under the business model of PG:SF what identified changes within the academy need to occur. This demonstrates how proactive the academy 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, academy 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](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

**Signed on behalf of the Board:**

A handwritten signature in black ink, appearing to read 'P. J. Carter', with a long horizontal stroke extending to the right.

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**Peter Carter (Chairperson of the Board)**

**Date: July 2020**