

# Offensive Weapons Policy



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**Approved by:** Full Governing Board **Date:** 31<sup>st</sup> May 2022

**Last reviewed on:** June 2024

**Next review due by:** June 2026

It is illegal to carry knives or other offensive weapons on and around the school premises. The Governing Body at West Croft School recognises that the presence of weapons in the school could not only create unacceptable risks of bullying, injury or death, but also create a climate that undermines the educational purposes of the school. Accordingly, it is the school's policy to forbid the possession, custody and use of weapons by unauthorised persons in, on or around the school premises and during school activities. These rules apply at all times except where a weapon is issued to a student by the school or required by the school for the purpose of teaching a curriculum activity. Misuse of such items will be dealt with as though possession was not authorised.

For the purpose of this policy a "weapon" includes, but is not limited to : -

- A firearm of any description, including starting pistols, air guns and any type of replica or toy gun.
- 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.

Any student found to be in breach of the policy shall be subject to action under the School's Behaviour and Discipline Policy. This could mean fixed or permanent exclusion from school. In some circumstances the police might also be contacted.

### **Monitoring, Evaluation and Review**

The Headteacher and Governing Body have a statutory responsibility for school behaviour, discipline and safety. The Policy will be promoted and implemented throughout the school. The Governing Body will review the Policy every 2 years and assess its implementation and effectiveness.

### **Procedure for dealing with Offensive Weapons in school**

#### **Staff involvement where a weapon is suspected**

- Under most circumstances, the Police should be informed of any incident believed to involve a weapon. However, in the judgement of the Head Teacher and other senior leaders, the matter may be dealt with internally on a disciplinary basis. But, if there is any doubt, the School must inform the Police.
- When contacting the Police, the School should give their evaluation of the seriousness of the incident, (ie in progress, threat to life, or down to weapon secure for collection only) to help the police to make their own judgement on the nature and immediacy of the response required. Please note Police Community Support Officers, even if working in the school have no powers to act under this legal framework, it is only Police officers or School staff.
- There may also be some exceptional circumstances where members of staff, who have been made aware that a weapon may be on School premises, decide that they need to take action before the Police arrive. Where possible, members of staff should not confront a person suspected of possessing a weapon in the presence of other pupils. Preferably two or more members of staff should divert the person to a safe, secure place.
- Members of Staff are not under any obligation to search a person themselves. In practice, whether a staff search is the most prudent course of action is likely to be a matter for this School policy, the members of staff involved and the circumstances concerned. In making that decision, a risk assessment approach should be adopted and it should be noted that such immediate preventive

action could either prevent a potentially dangerous situation escalating or could, conversely, inflame the situation.

- Where there are reasonable grounds to suspect that a pupil might have in their possession an offensive weapon, knife or blade, it might be appropriate for the Head Teacher, or an authorised member of staff, to conduct a search of that pupil or his/her possessions with or without the pupil's consent. An adult witness should be present for any search of pupils' possessions.
- Such a search may only be carried out where the member of staff and pupil are on school premises or are elsewhere and the member of staff has lawful control or charge of the pupil.

A member of staff carrying out a search:

- where satisfied that it is reasonable to do so, arrange for it to be taken away by the parent or guardian of the person from whom it was taken. However, some weapons are by their very nature offensive (eg flick knives and knuckle dusters) and should under no circumstances be returned;
- where weapons are returned or surrendered to the Police, a record should be made and retained by the School.

### **Police involvement where a weapon is suspected**

Section 4 of the Offensive Weapons Act 1996 inserts section 139B into the Criminal Justice Act 1988.

The effect is to:

- provide police officers with the power to enter School premises, if they have reasonable grounds for suspecting that such a weapon is present and to search both the premises and any person for an offensive weapon;
- allow them to seize and retain any of the prohibited articles described above if found during the course of such a search at a School.
- Acting under those powers, the Police do not require the permission of the Head Teacher or any other person before exercising it. They may also use reasonable force to enter, if necessary. It is generally desirable, however, for police officers intending to use their powers of entry and search to speak to the Head teacher, or some other suitable representative of the School, to inform them of any such action and seek their support and assistance. Their knowledge of the site and of the School's routine, and of any staff or persons involved in the incident, is likely to assist the police in handling a potentially dangerous situation.
- There will, however, be urgent cases where police officers will need to enter School premises without waiting to obtain permission, for example: o when pursuing suspects believed to be armed with a knife or other weapon who enter School premises; o when dealing with other reports of a knife or other offensive weapon on School premises in circumstances suggesting that immediate action is required.

### **Police Searching of people**

- While the Police have statutory powers, under the Offensive Weapons Act as amended by the Violent Crime Reduction Act, to search on suspicion that an offence has been committed, they will normally apply the test of „reasonableness“ to any decision on when and where to search a person.
- It is normal good practice for the Police to follow Code A of the Police and Criminal Evidence Act. This specifies such things as:

- where any search involves the removal of more than the outer coat, jacket, gloves and headgear, the police officer conducting the search must be of the same gender as the person being searched; and
- the garments mentioned above may be removed in public, although a search must be conducted out of public view. 4 To ensure the safety of pupils, staff and members of the public
- All incidents should be reported and investigated in line with the Council's Accident and Incident Reporting Procedure
- In the case of a serious incident, the Health, Safety and Wellbeing Team should be contacted on for immediate support/investigation and reporting to the Health and Safety Executive.
- Review of the risk assessment/s and consideration of the disciplinary process for the person found carrying an offensive weapon or knife.
- Support for the staff/pupils involved in the incident if required.
- See above for details of co-operation with the Police/Crown Prosecution Service investigation/s



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