

Assault and Weapons CPD Session

Friday 11th December 2020

Guidance



Keeping children safe in education

Statutory guidance for schools and colleges

September 2020

WHEN TO CALL THE POLICE

Guidance for schools & colleges

Searching, screening and confiscation

Advice for headteachers, school staff and governing bodies

January 2018



This session will provide guidance on when to report to the police and interpreting the wider guidance.

Contacting the police

In an emergency dial 999. This should be used if:

- There is a danger to life or
- Risk of serious injury or
- A serious crime is in progress or about to happen.

Any member of staff witnessing such an incident should be empowered to dial 999 as they will be able to give the most accurate account of the incident.



Assault

Assault - An act which intentionally or recklessly causes violence to another

The school or college should first establish: Are there any injuries?

If there are any suspected broken bones or significant injuries, then seek medical help first, then call the police on 101.

If no significant injuries are apparent consider:

- What has happened?
- Who is involved?
- Is there any history between the individuals involved?
- Are there any safeguarding concerns? If YES — Refer to Keeping children safe in education and follow local safeguarding protocols

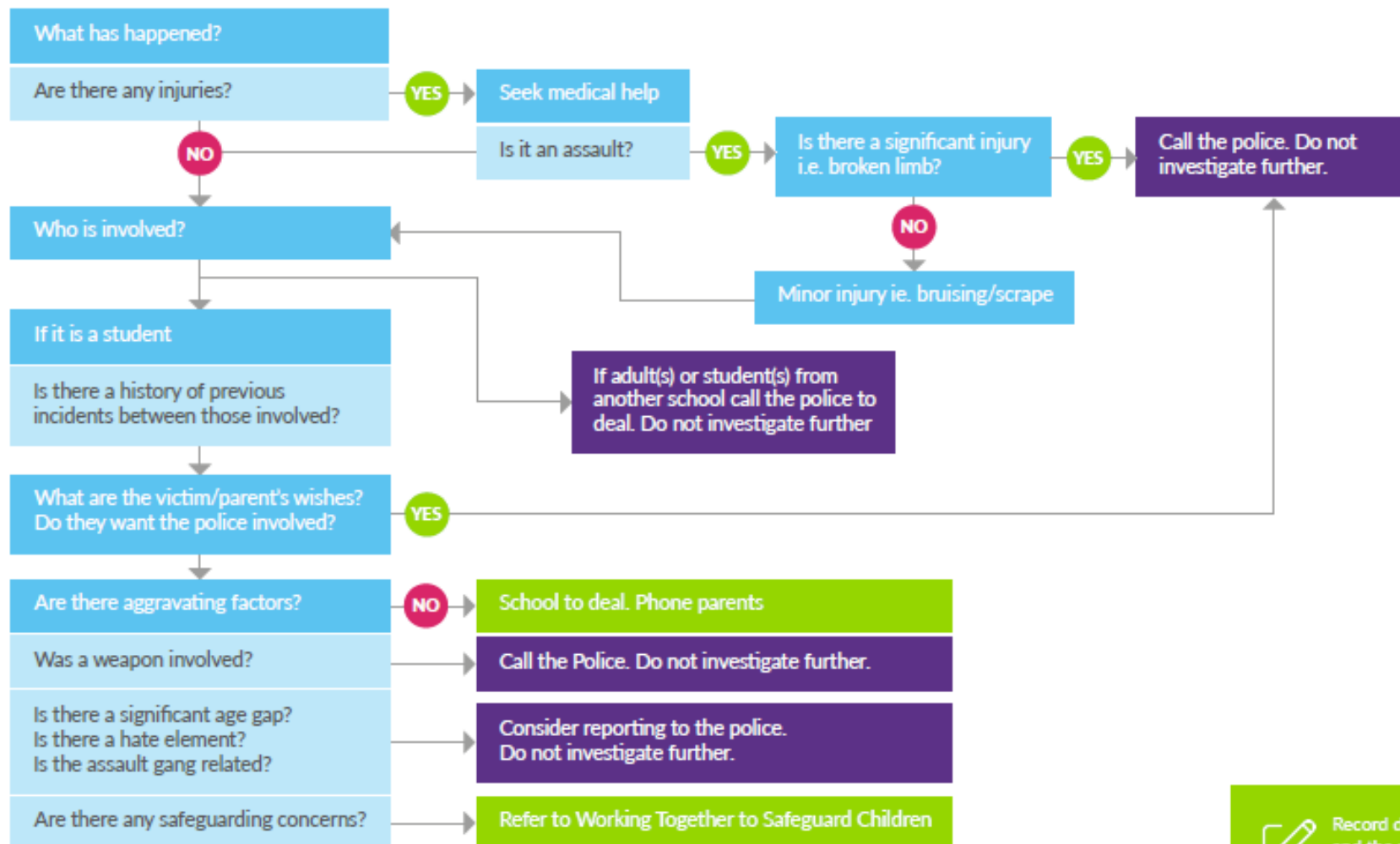
Aggravating factors – Assault

Are there any aggravating factors?

- Is there a significant age gap between the individuals involved, ie more than a year apart?
- Is there any evidence of injuries?
- Is there evidence of escalating behaviour? Or previous incidents of a similar nature?
- What is the impact on the victim?
- What are the victim's wishes?
- Are there any hate elements?
- Is the assault gang-related?
- Were weapons involved? (see weapons flow chart for the definition of a weapon)

ASSAULTS

Definition: It is an act which intentionally or recklessly causes violence to another



Record decisions and the reasons for decisions

Case Study

13 year old boy was kicked in the leg during break time, he then kicked who he believed had kicked him and this caused a fight in the playground for which both were disciplined by the school.

Parent of second boy called Police but it was felt the school dealt with this appropriately and Code 20 was applied meaning no further action.

No further incidents took place between both boys.

Weapons

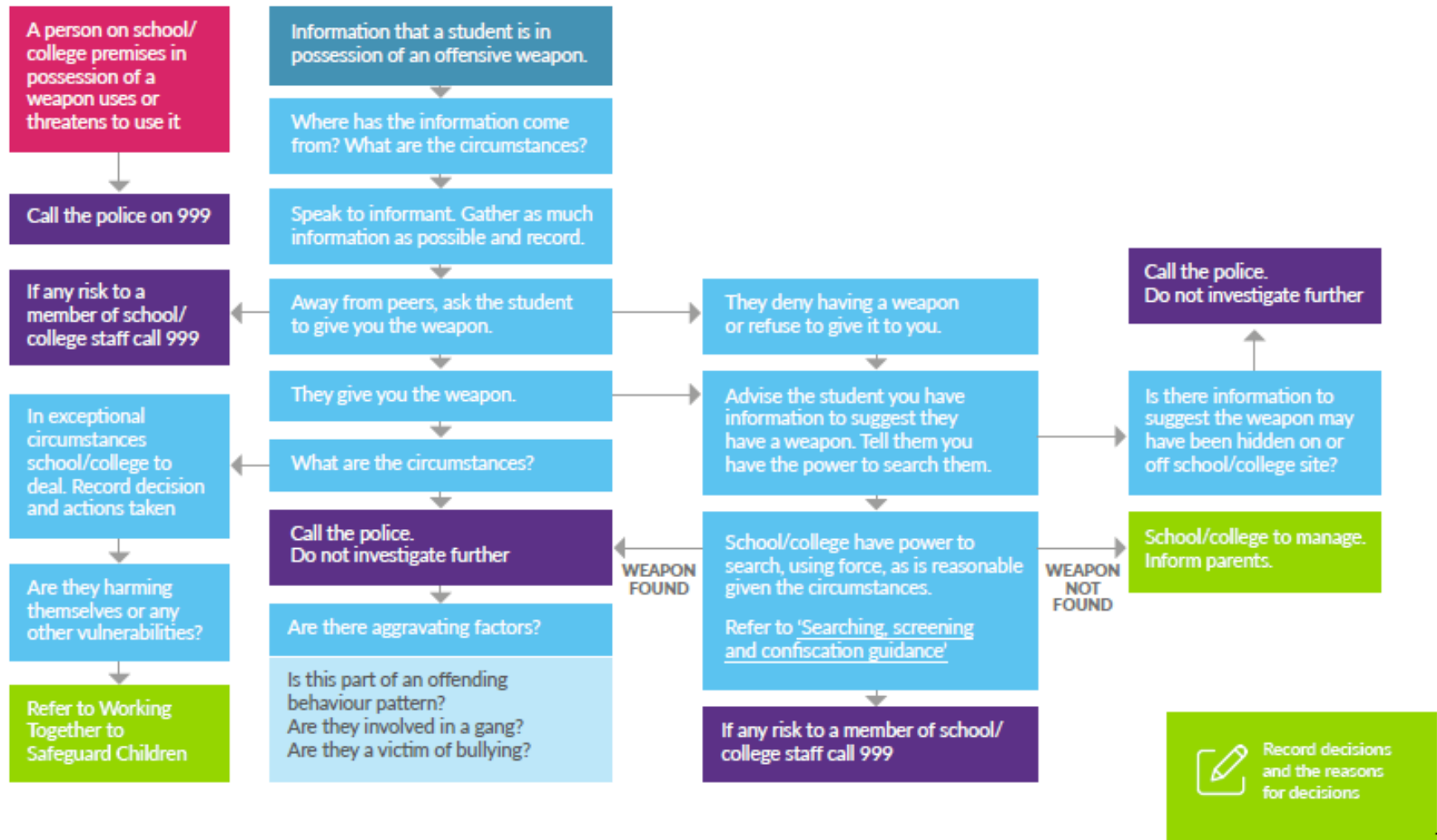
An offensive weapon is any article which is made, intended or adapted to cause injury.

- a) Those that are made as an offensive weapon (e.g. knuckleduster, dagger, gun) or adapted (e.g. broken bottle) for use for causing injury to the person; and
- b) Weapons not made or adapted as an offensive weapon (e.g. kitchen knife, spanner, hammer) but intended by the person having in possession of it to cause injury to another.

Possession of a weapon, particularly a knife on school or college premises is often an indicator of vulnerabilities for the young person concerned and therefore a multi-agency approach is important

WEAPONS

Definition: An offensive weapon is any article which is made, intended or adapted to cause injury. It is an offence to possess an offensive weapon or bladed or sharply pointed article on primary school or secondary school premises.



Searching

- School staff can search a pupil for any item if the pupil agrees with agreement from the Head teacher.
- Head teachers 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.
- The searcher should be the same sex as the pupil and that a witness is present will continue to apply in nearly all searches.

Screening

- School staff can screen pupils under Health and Safety at Work

Searching, screening and confiscation

Searching, screening and confiscation

Searching with consent

Schools' common law powers to search:

- School staff can search pupils with their consent for any item.
- The ability to give consent may be influenced by the child's age or other factors

Extent of the search – clothes, possessions, desks and lockers

Searching without consent:

What can be searched for?

- Knives or weapons, alcohol, illegal drugs and stolen items; and
- Tobacco and cigarette papers, fireworks and pornographic images; and
- 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.

Searching, screening and confiscation

The power to seize and confiscate items:

Staff can use their discretion to confiscate, retain and/or destroy any item found as a result of a 'with consent' search so long as it is reasonable in the circumstances. **Where any article is reasonably suspected to be an offensive weapon, it must be passed to the police. Controlled drugs must also be passed to the police.**

Alcohol, other substances, cigarettes **can be confiscated** where a teacher believes them to be harmful or detrimental to good order and discipline.

Case Study 1

- Child A – 11 years old at time of offence and in mainstream education.
- Offence took place at a school disco where rumours circulated that he had a knife.
- A teacher challenged the young person and he admitted he had a knife and handed it over to the member of staff.
- The knife was not seen by any other young person and child A did not threaten anyone with it.
- The outcome was that he attended a voluntary police interview three days later and was charged with possession of a bladed article.
- Child A was given a Youth Conditional Caution which meant he had to engage with Slough Youth Offending Team for 16 weeks.
- Following the offence, Child A remained in his mainstream school and the school worked closely with the YOT.

Case Study 2

- Child B – 14 years old at time of offence and in mainstream education.
- He has a formal diagnosis of both Autism and ADHD.
- Offence took place in school. Staff heard rumours he had a knife after showing it to another pupil and asking him to hold it.
- Staff conducted a bag search. Child B admitted to having the knife and staff seized the knife.
- The outcome was that he was arrested and charged with Possession of a bladed article on school premises.
- Child B was given a Youth Conditional Caution which meant he had to engage with Slough YOT for 16 weeks.
- Following the offence, Child A was permanently excluded from school.

Youth Offending Support

- As a Youth Offending Team (YOT) a large amount of our work focuses on prevention.
- Our preventative programme is called the Youth Inclusion Support Programme (YISP) which lasts up to three months.
- The aim of this programme is to reduce the number of young people involved in both anti social and offending behaviour.
- The work we can deliver as part of the YISP includes:
 - Weapons Awareness
 - Victim Awareness
 - Consequential Thinking
- The multi-agency element of the YOT can also be utilised which includes: CAMHS, Speech and Language, Physical Health, Substance Misuse and Parenting.

Youth Offending Support

- To help support schools in Slough the YOT also run group sessions in schools.
- We can be flexible in delivery and often attend assemblies.
- Topics covered to date include: offending behaviour, weapons awareness, substance misuse and Possession with Intent to Supply (PWITS).
- We also run a girls group called ELKA which places an emphasis on empowerment to encourage girls to move away from being involved in risk taking behaviours.
- If you would like to discuss a possible referral or interested in sessions being delivered in your school please contact the YOT on the following email: YOTeam@scstrust.co.uk

Resources

Searching, screening and confiscation at school

<https://www.gov.uk/government/publications/searching-screening-and-confiscation>

Keeping Children Safe in Education (KCSIE) 2020

<https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>

Working Together to Keep Children Safe 2018

<https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>

Thames Valley Police: www.thamesvalley.police.uk Telephone: 101

Front Door: 01753 875362 For out of hours service please call: 01344 78654



Questions?

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