

Achieving Success Together



# Mill Green School

## OFFENSIVE WEAPONS POLICY

<b>Policy Status:</b>	<b>NON-STATUTORY</b>
<b>Person Responsible:</b>	<b>Sean Lenahan</b>
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## Introduction

Article 3 of the United Nations Charter on the Rights of the Child states that the best interests of the child must be a top priority in all decisions and actions which affect children while Article 6 refers to the right of the child to develop to their full potential (life, survival and development). This policy aims to support Mill Green School in providing a positive and healthy environment for young people and staff, free from any form of violence involving weapons, implements or materials (of any kind) that might be carried, intended, adapted or threatened to be used, or indeed used to cause harm, injury or intimidation of any other person.

Mill Green School acknowledges our duty of care towards young people, staff and visitors to school to ensure that they are safe, and that young people understand the repercussions of carrying weapons or implements that can be used as weapons. Given the complex communication needs of our young people, and the nature of young people themselves, we understand that they may, at some point in their lives encounter conflict with other people. This does not, however excuse or permit physical aggression, violence or the carrying, storage, hiding, transporting, passing or concealing of weapons on the main school site or at the Mill Green Centre, or where young people are acting as representatives of the school.

## Legal Framework

### Legislation

This policy has due regard to all relevant legislation including, but not limited to, the following:

- Prevention of Crime Act 1953
- Offensive Weapons Act 1996
- Offensive Weapons Act 2019
- Criminal Justice Act 1988
- European Convention of Human Rights 1953

- › Education Act 1996
- › Education and Inspections Act 2006
- › Legal Aid Sentencing and Punishment of Offenders Act 2012
- › Crossbows Acts 1987
- › Firearms Act 1968

### Guidance

This policy has due regard to all relevant guidance including, but not limited to, the following:

- › DfE (2022) 'Searching, screening and confiscation – Advice for Schools'
- › Home Office (2012) 'Knives and offensive weapons information'
- › DfE (2023) 'Keeping Children Safe in Education'

### School Policies

This policy operates in conjunction with the following school policies:

- › Child Protection including Safeguarding Arrangements Policy
- › Behaviour Policy
- › Care and Control Policy
- › Suspensions and Exclusions Policy

### Definitions

It is **illegal** to:

- › Sell a knife of any kind to anyone under the age of 18
- › Buy a knife under the age of 18
- › Carry a knife in public without good reason, e.g. use at work – unless it has a folding blade with a cutting edge three inches long or less, e.g. a Swiss army knife
- › Carry, buy or sell a banned knife, e.g. a butterfly knife
- › Use any knife or other object in a threatening way (including any legal knife)
- › Possess a firearm without a licence
- › Possess a corrosive substance in public, without a valid reason
- › Sell a corrosive substance to anyone under the age of 18

It is an **offence** under section 139A of the Criminal Justice Act 2003 (as inserted by section 4 of the Offensive Weapons Act, 2019) to carry an offensive weapon on School premises.

For the purpose of this policy, an **offensive weapon** is defined as an article that is made, adapted or intended to cause injury to another person, including mental and physical injury.

For the purpose of this policy, **made, adapted** or **intended** are defined as articles that:

- Have been designed to cause harm to another person, e.g. a butterfly knife (made).
- Have been altered to cause harm to another person, e.g. an otherwise inoffensive object that has been sharpened to form a point (adapted).
- Are being carried with the express purpose to cause harm to another person but are not necessarily an obviously dangerous item, e.g. a cricket bat could be used for sport or to cause injury (intended).

For the purpose of this policy, **produced** is defined as when a person uses, or threatens someone with, an offensive weapon.

For the purpose of this policy, **possession** is defined as when a person has an offensive weapon on their person, but it is not used, including not used to threaten someone.

For the purpose of this policy, the **Headteacher** may also refer to the designated Deputy Headteacher in the absence of the Headteacher.

## Roles and Responsibilities

The **Headteacher** is responsible for:

- Implementing this policy and ensuring that all young persons are clear on the procedure that will be followed if a report is made that someone is in possession of an offensive weapon
- Ensuring all staff have read and understood the stipulations of this policy
- Investigating any reports of offensive weapons in liaison with the DSL

The **Designated Safeguarding Lead** is responsible for:

- Monitoring the offensive weapons reporting and processing any reports that are made.
- Investigating any reports of offensive weapons in liaison with the Headteacher.
- Holding assemblies / workshops to remind young people how to report any concerns confidentially.
- Provide updates (7-minute briefings) and CPD to remind staff how to report any concerns appropriately and in a timely manner.

The **Governing Body** is responsible for:

- Monitoring the effectiveness of this policy and conducting reviews following any offensive weapon incidents
- Reviewing this policy on an annual basis
- Ensuring appropriate training has been arranged for staff regarding managing offensive weapon incidents in schools

All **staff** are responsible for:

- › Reading and understanding the stipulations in this policy
- › Taking part in any offensive weapons training that is organised through the school
- › Reporting any suspicions to the Headteacher (or Deputy in their absence) or DSL, if they have any suspicions about any member of the school community, in line with school procedures.

**Young people** are responsible for:

- › Adhering to the provisions of this policy in terms of not having prohibited items on their person.
- › Reporting to staff if they have any suspicions that someone is carrying an offensive weapon, in accordance with this policy. Anonymous reports will also be taken seriously.

**Parents / Carers** are responsible for:

- › Ensuring their children understand the repercussions of carrying an offensive item in a public place, including a school.
- › Informing the school if they are concerned about their child's behaviour or safety, in line with the Child Protection including Safeguarding Arrangements Policy.
- › Understanding the repercussions of carrying an offensive weapon themselves
- › Support the school in the implementation of this policy including any actions relating to the possession or production of an offensive weapon.

## Offensive weapons

The following items are **banned by law**, regardless of their intended use:

- |   |                         |
|---|-------------------------|
| › Flick knives  | › Knuckle-dusters       |
| › Butterfly knives  | › Hand-claws            |
| › Disguised knives  | › Foot-claws            |
| › Belt buckle knives  | › Blowpipes or guns     |
| › Push daggers  | › Hollow kubotan        |
| › Gravity knives  | › Shuriken              |
| › 'Airport' or stealth knives   | › Telescopic truncheons |
| › Sword-sticks  | › Kusari-gama           |
| › Samurai swords  | › Kyoketsu shoge        |
| › Straight, side handled or fiction-lock truncheons – also known as a baton | › Kusari                |
| › A sword with a curved blade of 50 centimetres or over in length           | › Bump stocks.          |

As outlined in the Crossbows Act (1987), crossbows are prohibited under the age of 18.

Firearms are also considered prohibited items. Firearms include, but are not limited to, the following:

- › Starting pistols
- › Air guns
- › Any type of replica or toy gun

The police will be contacted immediately if any young person is found to be in possession of any of the above items. Mill Green School will support the police in any investigations as far as possible, e.g. providing information. The police's decision regarding the young person will be final.

The maximum penalty for carrying an offensive weapon is four years imprisonment, a fine or both.

In addition to the above, Mill Green School considers the following items to be prohibited:

- Fireworks
- Paintball guns
- Tasers
- Laser-pens
- Lighters and matches

In line with Mill Green School's Suspension and Exclusion Policy, any young person found to be in possession of an item listed within this policy or an item deemed as an 'offensive weapon', as set out within this policy may be immediately excluded from the school.

Young people will have access to an assembly / workshop on at least an annual basis to remind them what will happen if they are suspected to be carrying an offensive weapon, and the serious repercussions that they could face for carrying any of the items mentioned within this policy.

In terms of religious knives, only replicas that cannot be removed from their sheath will be permitted – the Headteacher's written permission will be required for this, following a robust risk assessment.

## Reporting, Investigating and Managing Procedures

### Reporting and Investigating

Where a report of a young person carrying an offensive weapon is made, or staff have a reasonable ground to suspect that a young person is carrying an offensive weapon, the Headteacher (or their deputy) and DSL will promptly risk assess the situation, determining:

- Where the young person is located
- What risks their surroundings are likely to pose e.g. a confined space such as changing rooms or common room, resulting in close proximity to other young people.
- Where the young person is likely to be carrying the offensive weapon e.g. on the person or in their bag.

Once the young person has been located and the Headteacher and DSL have risk assessed the situation, two members of authorised, trained staff will be asked to escort the young person to a safe location, e.g. the Headteacher's office.

Once the young person is in a safe location, the Headteacher will contact the young person's parents and invite them to the school. They will be informed why they are being invited to the school by the Headteacher, who will remain calm and non-accusing. The Headteacher will not wait for the parents to arrive at school before moving the young person to a safe location.

Once the young person's parents have been contacted, and they have confirmed that they are coming to the school, the Headteacher will wait no longer than 15 minutes before discussing the concern with the young person.

When the Headteacher discusses their concerns with the young person, they will not be confrontational or judgemental.

The young person's parents will be present when the Headteacher discusses the concern with

the young person. If they cannot be present, another member of staff will be present.

Once all relevant parties are present, the Headteacher will explain to the young person, and their parents if they are present, why they need to talk to the young person.

The Headteacher will ask the young person to empty their bag, and the Headteacher will search their outer clothing, in line with the school's Behaviour Policy, including Searching, Screening and Confiscation guidance.

### **Managing Procedures**

If no weapon has been found after the young person's bag and outer clothing has been searched, the Headteacher will use a metal detector wand to search the young person.

If still no weapon has been found, the Headteacher will thank the young person and their parents for cooperating, answer any questions (where appropriate, e.g. maintaining confidentiality by not informing parents of who raised the report) and send the young person back to class.

If the Headteacher searches the young person and discovers a weapon, they will use their professional judgement to determine:

- What kind of weapon it is, e.g. an offensive weapon or a school-banned item
- The likely intention to cause harm
- The context of the situation, including the young person's educational history, bullying and behavioural records, and any explanations that the young person can provide

If a potential weapon is found, the Headteacher will use their professional judgement in considering whether to call the police. For example:

- If the young person brings in an offensive weapon, e.g. a samurai sword, the police will be called immediately
- If a young person brings in a Swiss army knife, the school will establish the context of the situation before making a decision

The Headteacher will keep a record of all searches that have been conducted, which will be stored in their office and kept in line with the Confidentiality Policy.

The school understands the negative effect that exclusion can have on young persons and will do everything within its power to support, protect and help young persons; however, will follow the procedures within the Exclusion Policy where necessary.

If a weapon of any description is produced and used to threaten, physically or mentally, or harm another person, the headteacher will call the police immediately.

While waiting for the police to arrive, staff will understand and adhere to the following procedure:

The Lockdown and Evacuation Policy will be invoked

- Staff will ensure their own and young persons' safety
- Staff will do all they can to contain the young person, e.g. in a classroom; however, staff will not risk their own safety
- Staff will try to calm the young person down
- Staff will ensure they keep a safe distance between themselves and the young person and they will try to keep items in between themselves and the young person, e.g. desks
- Staff will never put themselves at risk

If a young person has produced a weapon, the school's Care and Control Policy will be void and staff will wait for the police to arrive.

If someone is attacked with an offensive weapon, the emergency services (police and ambulance) will be called immediately and the school will cooperate with the police's decision, e.g. regarding punishments.

Following any incident where a weapon has been produced, this policy will be reviewed by the Headteacher and DSL.

The school's Behaviour Policy including Searching, Screening and Confiscation guidance will be adhered to at all times.

## Following an Incident

While Mill Green School never condones carrying a weapon, we understand that there are many reasons as to why a young person may feel the need to carry a weapon, e.g. they are being bullied or targeted, or as a consequence of mental health difficulties.

If a young person who has been found to be in possession of a weapon remains at the school, the DSL will be responsible for supporting and monitoring the student.

The DSL will establish the young person's reasons for carrying a weapon and will put appropriate support systems in place.

The DSL or Pastoral Mentor will hold weekly meetings with the young person to monitor their safety and wellbeing until the DSL is satisfied with the student's wellbeing.

Carrying a weapon can be an indicator of a safeguarding concern, e.g. county lines exploitation or neglect, and the DSL will investigate any concerns and make a referral to the appropriate body, e.g. the police, if appropriate.

Other young people will not be informed that the young person was suspected of carrying a weapon.

The young person's parents/carers will, if appropriate, be involved in the reintegration plan, e.g. attending the weekly meetings with the DSL.

The school will offer counselling services to the student, if appropriate.

## Safeguarding

In line with 'Keeping Children Safe in Education 2023', the school has a duty to protect young people from harm.

The school will conduct annual surveys to establish whether young people feel safe, how they could be made to feel safer and to ensure young people understand the school's reporting procedures.

The school will hold awareness days in which young people will learn about what it means legally to carry or threaten someone with a weapon.

The school will invite local law enforcement officers into the school to give assemblies on the dangers of carrying an offensive weapon.

The school will provide young people with a range of workshops/assemblies to raise awareness of the dangers of offensive weapons.

The school uses hand-held metal detector wands to identify (screen) students who are carrying weapons.

All young people and parents/carers will be made aware of the school's reporting procedures and the school's commitment to protecting the school community – parents will receive a letter annually.

The school's Child Protection including Safeguarding Arrangements Policy will be adhered to by all staff, parents and young people.

The school will ensure raising awareness on the dangers of offensive weapons is part of the PSHE curriculum.

The school understands that certain students are likely to be more at risk than others in terms of carrying a knife. Formal Young Person Risk Assessments (YPRAs) are required to be in place for individuals known to be habitual Offensive Weapons carriers (including knives) or with a known history of violence. These risk assessments are undertaken on admission to the school or after an incident involving an offensive weapon inside or outside of school.

Staff will be aware that the following characteristics may make a student more susceptible to carrying an offensive weapon:

- Young people with complex, additional needs
- Disadvantaged backgrounds
- Young people who are more susceptible to county lines or gang exploitation
- Young people from difficult family situations
- Severely bullied young people

If any member of the public, a parent or a staff member produces a weapon on the school premises, the school's, Lockdown and Evacuation Policy and Procedures will be followed.

## Monitoring and Review

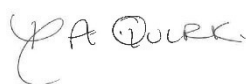
This policy will be reviewed by the Headteacher, DSL and Governing Body on an annual basis. Any changes to the policy will be communicated to all employees, young people and parents/carers.

Signed  
(Headteacher)



Date: 03.09.2024

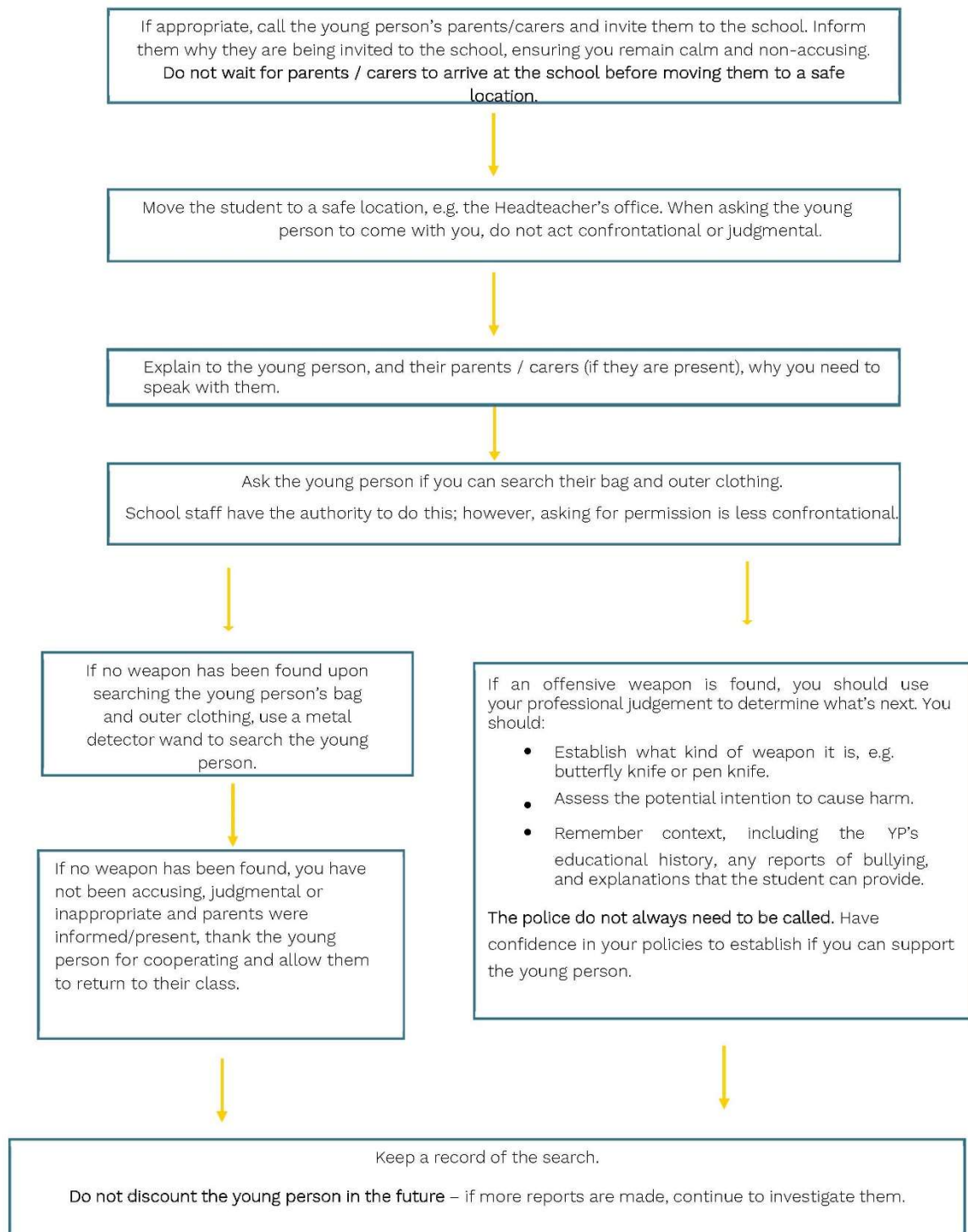
Signed  
(Chair of Governors)



Date: 03.09.2024

## Appendix 1: Managing Offensive Weapon Reports Flowchart

This flowchart outlines what Mill Green should do if a report of a student carrying an offensive weapon is raised.



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