



# SCHOOL RESPONSE TO INCIDENTS INVOLVING OFFENSIVE WEAPONS

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## 1. The Context

Every child or young person has the right to be safe and protected, and to feel safe and protected from any avoidable situation or acts which might result in that child:

- Being physically, sexually or emotionally harmed in any way;
- Put at risk of physical, sexual or emotional harm, abuse or exploitation;
- Having their basic needs neglected or experiencing that their needs are met in ways that are not appropriate to their age and stage of development;
- Being denied the sustained support and care necessary for them to thrive and develop normally;
- Being denied access to appropriate medical treatment;
- Being exposed to demands and expectations which are inappropriate to their age and stage of development.

**Children and Young People (Scotland) Act 2014**

## The Law

The carrying, or the suspicion that an individual is carrying a weapon, impacts greatly on the creation of safe places where our young people can feel safe and protected and where effective teaching and learning can take place.

The Criminal Law (Consolidation)(Scotland) Act 1995 states:

“Any person who has an article to which section 49 of this Act applies with them on school Premises shall be guilty of an offence”

“Any person who without lawful authority, or reasonable excuse, has with him/her in a public place, any offensive weapon commits an offence”

An offensive weapon is deemed as being any article made or adapted for use for causing injury to a person or intended by the person having the article, for use for causing injury to a person.

## 2. About the Guidance

This guidance sets out the procedure to be followed in schools when the carrying of a weapon is known or suspected.

The purpose of these guidelines is to help protect the children and young people of Aberdeenshire and to build the confidence of staff to work safely with young people and to take responsibility for protecting them.

This document provides guidance and direction in four key areas:

- Procedure
- Response
- Prevention
- Communication

### **3. Operations**

#### **3.1 Procedure**

All schools must follow the procedures laid out below if they are informed or suspect that a weapon has been brought onto school premises.

#### **3.2 Response, for all bladed or offensive weapon incidents and allegations**

When there is a suspected knife or weapon incident in school, this may be as a result of the following:

- An allegation has been made of a pupil with a bladed or other weapon in school
- A pupil has been seen with a bladed or other weapon in school
- A knife or other weapon has been confiscated from a pupil
- A member of the public is suspected of having a knife or a weapon on site.

The following flow diagram guides staff through the process of handling the incident and contacting the Police.

**There is a known or suspected knife or weapon incident in the school**

Examples are:

- An allegation has been made of a pupil with a bladed or other weapon in school.
- A pupil has been seen with a bladed or other weapon in school.
- A knife or other weapon has been confiscated from a pupil.
- A member of the public is suspected of having a weapon.

Has anyone been injured?

Are Pupils, staff or members of the public at risk?

**ACTIONS**

Seek urgent medical assistance as necessary.

**All incidents must be reported to the Police Scotland on 101 Or 999** where the incident is felt to require an urgent response.

Advise the Police you will be contacting the parents of the pupil to advise them of the incident and consider any advice the Police give.

For actual or suspected risk, consider what actions can safely be taken to isolate the pupil with the weapon and take necessary actions to keep others safe. If the weapon is in the possession of school staff, keep this secure until the Police arrive. Report the incident to the Head of Service, the QIO and Child Protection Officer (contact details below). The Child Protection Officer will advise Corporate Communications.

Where there are no injuries to deal with and no immediate threat to pupils, staff or the public, isolate the pupil and seek permission from the pupil to search their bag and request pockets be emptied out.

Pupil has agreed to be searched, search must be undertaken in presence of another adult for purposes of safety and corroboration. **Note, only the Police can carry out a physical search of the pupil**

Where pupil does not agree to a search, isolate pupil and await Police Scotland arrival. Update Police

**School Search Carried out**

**Weapon found**, secure the weapon and await Police arrival, update Police on 101

**No weapon found**

Update Police on 101 and follow Police advice.

Continue to investigate the allegation internally.

Update QIO and the CPO. They will update the Head of Service and Corporate Communications as necessary

**Police Search**

Police arrive, search and find a weapon and/or take possession of a weapon previously given to staff.

Follow advice of Police.

Update QIO and CPO. They will update the Head of Service and Corporate Communications.

Where Police search fails to find a weapon, follow Police advice and continue to investigate allegation internally.

**Useful Telephone Numbers**

Police Scotland Emergency			999
Police Scotland - Non Urgent			101
QIO			
Head of Service			
Corporate Communications			01467 53822
Child Protection Officer			07919041859

### Notes on the flow diagram:

- i) Where a member of the public is suspected of having a weapon on site, the Police must be called. The school can make the call to the Police on 101 or 999, where it is felt an urgent response is needed.
- ii) Where a pupil is suspected of having a weapon, consider what actions can safely be taken to isolate the pupil. Where it is felt safe to do so, the pupil can be asked to come with staff to the HT's office or another suitable room closer to where the pupil is. The pupil should be accompanied by two adults.

Where it is not felt safe to move the pupil or the pupil refuses to move, other pupils and staff should remove themselves quietly and without fuss to another location. Once the pupil has been isolated, they must not be left alone. Two adults should remain with the pupil.

- iii) Only where it is felt safe to do so, the Head Teacher (or a senior staff member, when the Head Teacher is not available) can ask the pupil to empty their pockets and can also ask the pupil for permission to look in the pupil's school bag or other bags or coats. There should be two members of staff present when this request is made and the search takes place. If it is felt this course of action is likely to exacerbate the situation then staff should not make these requests.

Please note that only the Police can make a body search and staff must not perform any kind of body search.

### 3.2.1 Alerting the QIO and others within the Authority

The Head of Service, QIO and the Child Protection Officer (contact details provided on the flow diagram) must be informed of all knife or weapon related incidents and allegations.

The Child Protection Officer will advise Corporate Communications of the incident.

The Head of Service will decide who else needs to be advised of the incident e.g. a relevant elected member.

### 3.2.2 Notes on Contacting the Police

- All knife and weapon incidents must be reported to the Police.
- Report incidents to the Police Scotland on 101 or for incidents requiring an urgent response dial 999.
- Brief Police Scotland on the incident. Inform them if you have been able to carry out a search and what you have found.
- The Police have undertaken to respond to all knife and weapon incidents in schools.
- The speed of response will be dictated by the level of severity of the incident in the school and other priorities which need to be dealt with at that time.
- Follow advice given by the Police.

### 3.2.3 Guidance on Pupil Searches

If it is known or suspected that a pupil may be carrying a weapon or have one in their bag or coat, when it is felt safe to do so, a pupil should be asked to agree to a search and to give up the weapon. Only the Police can carry out a physical search, so here, pupils are being asked to empty out bags and pockets.

Police advise that by taking this approach, where a weapon is actually being carried, the weapon may readily be given up by the pupil, in situations where the pupil is felt to be calm.

Where staff feel that to do this would be unsafe, the pupil should be kept isolated until a Police search can be carried out.

- Staff should not attempt to disarm a pupil armed with a weapon. The pupil should be isolated, other pupils, staff and members of the public moved away from the area and Police Scotland called.
- Where a search is going to be carried out, staff can only do this with the pupil's consent.
- The physical searching of a pupil can only be carried out by Police Scotland.
- Where consent to search is given by the pupil, the Head Teacher or nominee can undertake searches of the pupil's belongings. Another adult must be present for safety and corroboration.
- Where the pupil does not consent to a search, await Police Scotland's arrival.
- Parents will be informed of searches, in line with advice received from Police Scotland.

Any weapon found in a pupil's possession will be confiscated and held securely for action by Police Scotland.

### **3.3 Actions and Investigation following the incident**

Aberdeenshire Council exercises a zero tolerance policy regarding incidents involving weapons and knives. Each incident will require an appropriate and proportionate response.

#### **3.3.1 Exclusion**

The power to exclude a pupil from a school and the circumstances under which a pupil may be excluded; and the requirements on local authorities where a decision to exclude has been taken are set out in Regulations 4 and 4A of the Schools General (Scotland) Regulations 1975 ("the 1975 Regulations"), as amended<sup>36</sup> and the Schools General (Scotland) Amendment (No. 2) Regulations 1982<sup>37</sup> (S.I. 1982/1735).

Regulation 4 provides that an education authority shall not exclude a pupil from school unless the authority:

". . . are of the opinion that the parent of the pupil refuses or fails to comply, or to allow the pupil to comply with the rules, regulations, or disciplinary requirements of the school";

**or**

". . . consider that in all the circumstances to allow the pupil to continue his attendance at the school would be likely to be seriously detrimental to order and discipline in the school or the educational well-being of the pupils there."

Where there has been a knife or weapon incident in a school, a period of exclusion will be put in place while the incident is being investigated and risk assessments are being prepared. During this period, the safety and circumstances of the pupil being considered for exclusion must also be considered. Once a decision to exclude has been made, the child or young person should not leave the school until their safety, health and wellbeing are assured and appropriate arrangements are in place. Refer to checklist 2 (see appendix A).

The duration of and nature of this exclusion will be proportionate and will be dictated by the circumstances of the incident being dealt with.

### **Sending home without excluding**

All exclusions from school must be formally recorded. Children and young people must not be sent home on an “informal exclusion “or sent home to “cool off”.

Following an incident where the decision is made that the child or young person cannot remain in school for one of the reasons specified in regulation 4 of the Schools General (Scotland) Regulations 1975 as amended, this must be recorded as an exclusion. This will ensure transparency, allow for appropriate monitoring and enable support to be put in place through the education authority’s staged intervention system.

### **Checklists to support consideration of the Exclusion Decision**

The Scottish Government document [“Included, Engaged and Involved Part 2: A Positive approach to preventing and managing school exclusions”](#) provides checklists intended as useful tools to support schools and local authorities prior to, during and after exclusion. The checklists provided are:

#### **Checklist 1a**

This checklist guides the school through the wide range of areas to be considered when making the decision to exclude.

#### **Checklist 1b**

This checklist allows the individual circumstances of the pupil to be considered, are they LAC, etc.

#### **Checklist 2**

This checklist guides the school through the actions to be taken once the decision to exclude has been made.

### **Checklist 3**

This checklist guides the school through the actions to be taken in the return to school after exclusion process.

#### **3.3.2 Multi Agency Action Planning Meeting**

In most cases, a MAAPM will be convened within an appropriate timescale to consider the circumstances of the incident and to prepare a multi-agency action plan. This will be convened by the Named Person Service unless there is already a Lead Person in place, in which case the Lead Person service will convene the meeting.

Risk assessments such as a CARM Plan (Care and Risk Management Plan), should be considered as part of the MAAPM process.

#### **3.3.3 Recording incident**

It is important that details of weapon and knife related incidents are recorded and that the information can be accessed to build a picture both of individual incidents and the broader position within Aberdeenshire.

Pupil information will be recorded for all pupils involved in the incident on their SEEMIS record and in their Pupil progress record and Chronology, as appropriate.

**The Aberdeenshire Corporate Accident and Violent Incident Reporting system**, accessed via Arcadia, has been enhanced to support the recording and collection of knife and weapon related incidents.

When a knife or weapon incident has taken place, schools must ensure that the incident is recorded on the Accident and Violent Incident Reporting system without delay. Schools are already using the system to record accidents and violent incidents. This enhancement means we can gather knife and weapon incident information via this system. Early details of the incident should be recorded without undue delay. Fuller details can be added later on the outcome of the investigation and actions undertaken.

## **4. Prevention**

The safety and wellbeing of pupils, staff and people who visit our schools is of paramount importance.

Aberdeenshire Council exercises a zero tolerance approach to the possession of a weapon or knife in school to help ensure, as far as possible, that pupils, staff and visitors are kept safe from harm.

Within the curriculum, we will continue to adopt a clear preventative strategy across all schools to raise awareness of and educate all pupils on the risks of the carrying a weapon, of knife crime and the life changing consequences this could have for them and others.

In addition, all schools will keep under review the communication channels that young people use in their schools to express their views and concerns about their school and personal life.

## 5. Communication

While each school has its own character and culture which reflects its history, background and the area it serves, it is important that a consistent message is shared across the schools on the carrying of knives and weapons.

All pupils and parents should be aware that there is a consistent zero tolerance approach in all of our schools to the carrying of knives and weapons.

A common statement will be provided to schools for inclusion in the school handbooks that makes clear the schools position regarding bladed/offensive weapons.

In addition, a parent/pupil information leaflet will be developed for us by all schools.

### **Media Contact**

Where the school or staff are contacted by the members of the media regarding alleged weapon incidents, the school and staff should direct the enquiry to Corporate Communications, who will handle the contact and provide information to the media as appropriate. The communications team can be contacted on 01467 53822, by email at [news@aberdeenshire.gov.uk](mailto:news@aberdeenshire.gov.uk) and for out of hours calls on 07770 314 617.

### **Social Media**

Where comment or questions have been raised on social media following an alleged incident, the school and staff should not react to these posts. Contact should be made with Corporate Communications and the QIO who will support the school on any response that needs to be made.

## Appendix A

**Consideration of Exclusion.**

Areas to be considered following an incident or allegation in the school where exclusion is being considered.

**Checklist 1a** (this should be used alongside checklist 1b where appropriate) prior to an exclusion.

These checklists have been produced by Scottish Government in “Included, Engaged and Involved Part 2: A Positive Approach to Preventing and managing School Exclusions” to assist schools when considering exclusion.

Key consideration questions	Consideration given	Comment
Has the child or young person been excluded before? What was the impact of this?		
Have the following been engaged to help prevent exclusion? <ul style="list-style-type: none"> <li>• Child or young person</li> <li>• Parent/carers</li> <li>• Key education staff</li> <li>• Other professionals, e.g. Social Work, Educational Psychologist</li> </ul>		
Has there been clear assessment of the young person and their needs?		
Has additional support/intervention been provided for the child or young person?		
Have alternative arrangements been made for the child or young person prior to the exclusion, E.g. curriculum alternatives, temporary placement in base, use of visual learning?		
How can the staged intervention process and school partnership be utilised to further support the child or young person?		
Has the incident that precipitated the consideration of exclusion been reviewed with all staff who were present to explore fully what happened?		
Has another professional from within the school, who is not directly involved, been consulted on the situation in order to provide a different perspective?		
Has the child or young person been consulted on their views of the situation?		

Has Pupil Support/Guidance/Key worker or, if available, lead professional been consulted on how to move forward?		
Has the possible impact of exclusion on the child or young person been considered in light of individual circumstances?		
Does the child or young person's recent presentation constitute a wellbeing concern?		
What might the impact of an exclusion be on a child or young person's wider circumstances?		
What impact might an exclusion have on the planning processes?		
Has a risk assessment been completed for the child or young person where appropriate?		
What are the desired outcomes of an exclusion? Are there alternatives that might achieve this?		
Has there been consideration given to length of exclusion to ensure it is proportionate and in best interests of child/young person?		
Does the exclusion comply with the regulation 4 of the 1975 regulations as amended? See 3.3.1 above		
Have the rights of the child or young person been considered, with regard to articles of UNCRC?		
Have all other options been considered before deciding on exclusion as a necessary step?		

Individual Circumstances

**Checklist 1b** (to be used alongside checklist 1a or the initial exclusion checklist if appropriate)

Individual Circumstances	Additional considerations	Consideration given	Comments
Looked After child	Social worker consulted prior to decision		
	Education manager or lead professional (where one exists) consulted on plan regarding particular issues		
	Appropriate arrangements made with regard to support/care and wellbeing at home		
	Decision made as to whether exclusion to go ahead		
Child on Child Protection Register/child protection concerns previously raised	Child Protection Designated Officer and Social Worker consulted		
	SEEMIS checked for child protection message		
	Education authority consulted about appropriate provision		
	Appropriate arrangements for return into school considered		
Child with additional support needs	Other professionals involved with child consulted on continuation of any additional input		
	Confirmation sought that child or young person is not being excluded for reasons associated with disability		
	Ensure that child or young person is not being excluded for reasons associated with a protected characteristic		
	Account is taken of impact of exclusion on child or young person's learning and support provision		
	Consideration is given to review of any child's plan or Coordinated Support Plan		
	Transition planning is taken into account with regard to return to school		
Children from an area of socioeconomic deprivation	Consideration should be given to the impact on child's wellbeing, e.g. free school meals		

## Checklist 2 Decision to exclude has been made (this checklist should be used after completion of checklist 1a (1b where appropriate))

Action to be taken	Action taken	Comment
Child or young person is informed he/she is to be excluded		
Immediately inform parents/carers verbally		
Looked after children and children or young people on Child Protection Register/child protection concerns: communication with all potential carers, as well as any person who may have parental rights and responsibilities		
Looked after children and children or young people on Child Protection Register/child protection concerns: decision communicated to lead professional, Social Worker, Key Worker, Foster Carer, Educational Psychologists and Head of Service		
Make arrangements for child or young person to be sent or taken home. Child or young person not to leave school until safety, health and wellbeing assured and appropriate arrangements are in place		
If parents/carers cannot be contacted, child or young person must be supervised at school until suitable arrangements can be made		
If verbal contact made, follow up by written confirmation of exclusion on same day exclusion takes place. Include reason for exclusion and information on Right of Appeal		
Inform of date, time and place where Head Teacher or official of authority is available to discuss the exclusion		
If child or young person is of legal capacity inform them in writing of exclusion and right of appeal		
Record of exclusion filled out – incident report form		

Ensure exclusion is recorded accurately on SEEMIS		
All documents relating to exclusion to be retained in Pupil's Progress Record		
Appropriate educational provision to be provided and monitored, e.g. course work, access to library, online learning		
Make arrangements for the child or young person to access any existing support (outwith school if necessary)		
A contact person should be allocated for parent/carer/young person to liaise with re: educational provision		
Parent/carer should be informed of their responsibility to ensure child or young person is provided with appropriate education throughout the period of exclusion		
Parent/carer should be provided with information on support to assist them or advocate on behalf of child or young person		
Notify local authority		
If exclusion is lengthy or multiple, refer to local authority for support in decision making		
If parent/carer and/or child or young person exercise their right of appeal, meet with parent/carer and child or/young person and/or an advocate for the child to discuss		
Referral to Scottish Children's Reporter if appropriate		

### Checklist 3: Return to School after Exclusion

Action to be taken	Action taken	Comment
School to meet or discuss with parent/carer and child or young person. –Re-admission to school not dependent on this taking place		
Appropriate planning takes place to ensure support is provided		
Risk assessment is completed where appropriate		
Needs of staff and other children and/or young people taken into account – solution oriented/ restorative meeting held if appropriate		
Which staff in school need to know about the circumstances of the exclusion and the details of the risk assessment?		
Flexible package of support agreed and implemented where appropriate		
Any changes to timetable for limited period recorded on SEEMIS		
Staged intervention processes continued and adapted in light of exclusion		
Consideration given to discussion at multi-agency forum		
Pupil Support/Guidance/Key worker or lead professional (where one exists) updated		
Monitoring and review arrangement put in place to ensure continued support		