

# Offensive Weapons policy



Blessed Edward Oldcorne Catholic College

Approved by: Full  
Governing Body

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## INTRODUCTION

It is illegal to carry knives or other offensive weapons on and around College premises.<sup>1</sup>

The Governing Body at Blessed Edward Oldcorne Catholic College recognises that the presence of weapons, or items which could potentially be offensive weapons, in the College would not only create unacceptable risks of bullying, injury or death, but also create a climate that undermines the educational purposes of the College. It is therefore the College Policy to forbid the possession, custody and use of weapons by students or any other unauthorised persons in, on, or around the College premises and during College activities.

As young people develop into maturity they naturally experiment with their behaviour and test boundaries. The younger they are the less capacity they will have for restraining themselves, resisting temptation or resisting peer pressure. None of this excuses poor or criminal behaviour. It actually increases the need to intervene as early as possible, to show that actions have consequences, and that harm is being caused.

The college will work with the police where appropriate and other agencies to:

- Confront young people with the consequences of offending
- Help young people to develop a sense of personal responsibility
- Manage risk to young people within the community
- Reinforce the serious nature of weapon-related crime
- Strengthen factors that reduce the risk of re-offending
- Encourage reparation
- Encourage the restoration of relationships of trust
- Define, agree and reinforce the responsibilities of parents

## DEFINITIONS

“Offensive weapons” are defined in law as any of the following:

- an article made for the purposes of causing injury to the person
- an article adapted for use for causing injury to the person, and
- an article which the person carrying it intends to use for the purpose of causing injury to the person

In addition, 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;
- knives, including all variations of bladed or sharply pointed objects including: 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.

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<sup>1</sup> Section 139A, Criminal Justice Act 1988 (as amended by the Offensive Weapons Act 1996)

## **POLICY**

**The possession, custody and use of weapons by students or any other unauthorised persons in, on, or around the College premises and during College activities is forbidden.**

This rule applies at all times except where an item, which could potentially be a weapon/offensive weapon, is issued to a student by a member of staff at the College or is required by the College for the purposes of teaching and learning, as necessary, for the delivery of the curriculum. Misuse of such items will be dealt with as though possession is not authorised.

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

In all circumstances the college will consider whether early help is needed by assessing the wider needs of the child e.g has the child got educational needs or are they looked after. The college will also fully consider the context in which the child lives.

## **PROCEDURES FOR DEALING WITH KNIVES AND OTHER WEAPONS/OFFENSIVE WEAPONS**

### **Contacting the Police:**

Under most circumstances, the Police should be informed of any incident believed to involve a weapon. However, where, in the judgement of the staff, the circumstances are wholly innocent or there is clearly no intention to harm another person and there is no suggestion of the use of the article as a weapon, the matter may be dealt with internally on a disciplinary basis.

When contacting the Police, the College's senior member of staff dealing with the matter should give his/her evaluation of the seriousness of the incident, (i.e. in progress, threat to life, or weapon secure, for collection only) to help the Police to make their own judgement on the nature and immediacy of the response required. Police Community Support Officers, have no powers to act under this legal framework, it is only Police officers or College staff.

There may also be some exceptional circumstances where members of staff, who have been made aware that a weapon may be on college premises, decide that they need to take action before the Police arrive.

### **Searches:**

Where immediate action is required, designated staff should always be called to assess and manage any situation where a weapon/offensive weapon is suspected:

- where there are reasonable grounds to suspect that a student might have in their possession a weapon/offensive weapon, it might be appropriate for the Headteacher, or an authorised member of staff, to conduct a search of that student or his/her possessions, with or without the student's consent as enabled by the Education Act 1996, s.550ZA;
- 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;

- such a search may only be carried out where the member of staff and student are on College premises or are elsewhere and the member of staff has lawful control or charge of the student.

To comply with the conditions set out in the Education Act 1996, s.550ZB, a member of staff carrying out a search:

- may not require a student to remove any clothing other than outer clothing, i.e. any item of clothing not being worn wholly next to the skin or immediately over a garment being worn as underwear;
- must be of the same sex as the student;
- may carry out the search only in the presence of another member of staff who is also of the same sex as the student (unless this is not reasonably practicable due to the urgency of the risk of serious harm);
- a student's possessions (including any goods over which he/she appears to have control) may not be searched except in his/her presence and another member of staff;
- if in the course of a search the member of staff finds anything he/she suspects of falling within the knives and offensive weapon category, or any other thing he/she suspects is evidence in relation to an offence, he/she may seize and retain it.

Members of staff may, on occasion, take possession of a knife or other weapon brought to College by a person in circumstances which contravene the Criminal Justice Act 1988 (as amended). Possession of the weapon in such circumstances by a member of staff is likely to be with good reason or lawful authority, and thus not an offence under the Act. In compliance with the Education Act 1996, s.550ZC(8), a member of staff in possession of a weapon in such circumstances should secure it, and pass it immediately to the Headteacher or, in the Headteacher's absence, the Deputy Headteacher, and arrange without delay to surrender it to the Police. This applies to:

- a) An article to which section 139 of the Criminal Justice Act 1988 applies (knives and blades etc.);**
- b) An offensive weapon; or**
- c) Anything which that person has reasonable grounds for suspecting is evidence in relation to an offence.**

Where a weapon does not fall into these categories and the Headteacher or Deputy Headteacher is satisfied that it is reasonable to do so, they may arrange for the weapon to be taken away by the parent/carer of the person from whom it was taken, or for the item to be disposed of.

#### **Verbal threats:**

Where a student makes a verbal threat towards another student or member of staff which gives the college cause to believe that student may have an offensive weapon on their person then the college will assume that the student is in possession of a weapon and, where appropriate following a risk assessment, conduct a search as stated above.

- The student who has been threatened will be immediately taken to a safe place in the college
- Parents of the child who has been threatened will be contacted and informed of the threat and the college's actions to date.

- The police will be informed of the nature of the threat and the level of their involvement will be dependent on whether an offensive weapon is found in any subsequent search.
- Parents of the student who made the threat will be informed
- The college will act in line with this Policy and its Behaviour Policy
- Parents of the child who has been threatened will be kept up to date in terms of any subsequent actions being taken by the college until the matter is resolved
- The child who was threatened will be spoken to by staff and reassured before going back into mainstream lessons. The student must know where their safe places are and who they can report any concerns to