

Policy for Behaviour Management



FAIRFIELD
HIGH SCHOOL

Approved by:	Board of Directors	September 2021
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Signed by:	Chair of Directors	September 2021
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Introduction

Fairfield High School is a positive and inclusive environment where all members of the school community are clear about expectations of behaviour. We encourage all students to live and learn with a positive approach and allow everyone in the school community to work in a safe and happy environment. We understand that students will sometimes make mistakes and do not always behave as positively as we might wish. Our view is that they need to be given the opportunities to learn from these through experiential learning, RSE/Citizenship and across the curriculum in school.

Fairfield High School has a duty to ensure a safe, supportive and productive learning environment for its students. Students, staff, Directors and parents/carers working in collaboration will ensure that high standards of behaviour are maintained, promoted and modelled by all at Fairfield High School and this will allow all students to achieve their best.

Fairfield High School is a place of learning where all students can exercise their right to learn within a safe, supportive and purposeful working atmosphere, where there is a consistent approach to matters of behaviour.

Students at Fairfield High School understand that the choices they make may have consequences or impact others around them. All students understand that they have the right to feel safe in school and access outstanding education at Fairfield and that comes with the responsibility to ensure that all other students have the same right.

Fairfield High School will always look at the need of the individual alongside the impact of behaviour and the needs of the whole school community when dealing with any behaviour concern.

Legal framework

The following guidance from the Department for Education (DfE) has been taken into consideration when producing this policy and will be followed as far as possible:

- [Behaviour and discipline in schools](#)
- [Searching, screening and confiscation at school](#)
- [The Equality Act 2010](#)
- [Use of reasonable force in schools](#)
- [Supporting pupils with medical conditions at school](#)
- [Exclusion from maintained schools, academies and pupil referral units in England](#)
- [special educational needs and disability \(SEND\) code of practice.](#)

Teaching and learning

Promoting positive behaviour and full attendance enables high standards of teaching and learning to be achieved. A broad and balanced curriculum helps develop and maintain this. Students learn more effectively when the curriculum is differentiated and teaching styles and approaches accommodate all students.

Fairfield encourages a positive approach to dealing with behaviour issues that is supported by

- Staff using the most appropriate method of teaching, which draws on students' experiences and values their contributions
- Students being taught in a classroom where routines are established and high standards expected
- Explicit and regular praise being used for all types of achievement

A clear rewards and sanctions strategy is in place to ensure that our Behaviour Policy is consistently applied using the Behaviours Level of Need and Pathways (see Appendix A)

Any behaviour concern or incident that may arise is dealt with taking into consideration the context and any mitigating or exacerbating factors. Sanctions or interventions are put in place after assessing all the contributory factors; the individual students' needs and safety; impact on the school community and the right to learn in a safe and ordered environment.

How do we get consistency of implementation?

- Behaviour for Learning is communicated frequently to students in registration and in lessons
- Staff deliver consistency of positive behaviour around the school site throughout the school day including unsupervised times such as between lessons, before/after school and break/lunchtimes.
- Staff follow the Behaviours Level of Need to ensure that the appropriate action and intervention is put in place promptly and effectively.

How will we communicate the policy to everyone?

- Staff training and meetings where 'behaviour' is a standard agenda item
- Form Tutor activity and daily monitoring of students' behaviour
- Communication with home via emails and letters and school website
- Ready to Learn information in Student planners and displays/posters in classrooms
- Home-School Agreement to be signed by parent/carer and student
- See it, Name it, Stop it reinforced in every way throughout the school

How do we know it is understood and accepted?

- Positive support from parents/carers
- Data tracking by Deputy Head and Senior Learning Manager to demonstrate improvements in behaviour
- Calm environment around buildings and school site
- There are fewer incidents recorded and being dealt with and the positive achievement points outweigh the negatives points awarded to students.
- Behaviour a standing item at SLT, Curriculum and Pastoral meetings

- Classroom teachers maintain a consistent approach to classroom management which is monitored via observations and lesson drop-ins. Training and support is offered to staff where needed

How do we get consistency of uniform?

- Clear uniform policy in place
- Parents/carers and students clear on what is expected and informed through letters, emails, parents evenings, website and in student planners.
- Uniform check in form time and lessons. Infringements of the policy are followed up by form tutors with the student and with home by phone calls or letter/email. In some repeated cases there may be an internal isolation given to the student
- Financial and practical support for uniform is also offered as needed.

School expectations of behaviour for learning

Fairfield High School expects students to be ready to learn. These expectations include:

Smart Start Uniform

A high standard of personal appearance is expected and anyone arriving at school in non-uniform clothing/footwear may expect to be removed from lessons. Hair colour and style must be appropriate for school. Students are asked to respect the uniform policy, keeping their preference for a particular fashion trend for evenings, weekends and holidays.

Smart Start equipment

It is expected that students arrive in school with the correct equipment for their school day and for the lessons that they may have. Students who do not have the full set of smart start equipment will be asked to ensure that they bring it the following day, ready to learn. Infringements of the policy are followed up by form tutors with the student and with home by phone calls or letter/email. Financial and practical support for smart start equipment is also offered as needed.

Expectations of conduct

Teachers have a right to teach, and students have a right to learn. So that we can *all* enjoy our teaching and learning. It is expected that students will model appropriate behaviours for learning when they go to each lesson, and that these will be supported by parents/carers.

Students will:

- ENTER the classroom quietly, get your books and equipment out and stand behind your chair until you are asked to sit down.
- SIT where the teacher asks you to sit, every time.
- LISTEN to the teacher, and to other members of the class. Don't talk when other people are talking – you may miss something important!
- FOCUS on doing your *best* work **every time**, at school and at home.
- THINK about presentation *and* content.

- ASK for help if you need it – try and work it out yourself first.
- CHOOSE to speak and behave positively, so that others can learn too.
- PLAN ahead – go to the toilet or get a drink at break and lunch – not in lessons.
- REMEMBER to write down homework – and complete it on time.
- ALWAYS treat other people as you would like to be treated yourself.

Good behaviour will be celebrated via spoken word, achievement points on SIMs, postcards home and planner comments.

Unacceptable behaviour will be met with an appropriate sanction (e.g. verbal reprimand, planner comment, detention). Unacceptable behaviours* are referred to on the Behaviour Level of Need document (Appendix A) and in the Student Code of Conduct (Appendix B)

Sanctions are specific to each individual in an incident and we will not normally share these with other children or families involved.

*It is not possible to foresee all possibilities and this list should not be deemed exhaustive.

Mobile phones

Fairfield takes the view that mobile phones are an integral part of everyday life and it is important that students learn to use them appropriately and safely. Students are taught about all aspects of online safety via the RSE and IT curriculums. All mobile phones must be switched off and unseen whilst students are on school site. If such equipment is in view of members of staff it will be confiscated for the remainder of the day. If this is repeated parents/carers will be informed. The phone will be placed in the school office until a parent/carer comes into school to collect it.

Loss and reckless or deliberate act of damage

The school will not accept legal responsibility for loss, theft, damage to school, staff member or another student's property whilst on school premises. Fortunately, we rarely have to deal with deliberate damage to property; where this does happen, we will put an appropriate sanction in place and liaise with parents/carers regarding the cost of the damage. Our expectation is that at least part of the cost of repairs will be met by the student.

Bullying

Any form of bullying is not tolerated at Fairfield High School. Bullying is defined as the persistent, deliberate and targeted harming of one person or group by another person or group, often where the relationship involves an imbalance of power.

Bullying is, therefore:

- Deliberately hurtful, abusive or harmful
- Repeated, often over a period of time
- Difficult to defend against

Bullying can include emotional; physical; racial; sexual; gender-based; homophobic or other harmful or hurtful behaviours, whether via gestures, verbally, in writing, online or via social media.

Fairfield High School takes bullying very seriously and adopts a whole school approach: See it; Name it; Stop it ! (Appendix C) to empower students to report any incidents of this behaviour and to create a school climate where this is completely unacceptable.

We will always investigate allegations of bullying carefully and take all contributory factors into account before deciding on appropriate sanctions. These can include having to be supervised over break or lunch, internal isolation or fixed term exclusion. We will encourage those involved to seek help and support and to learn how to move forward positively, sometimes via a Restorative Justice approach.

Peer on Peer Abuse

We accept that peer on peer abuse does happen in and out of school; we take this very seriously and will always take steps to stop it as quickly and effectively as we can. We have a separate policy to deal with this which can be accessed on our website.

Behaviour out of school

Fairfield High School is committed to ensuring our students are leaders in their community and are positive ambassadors for our school. We welcome the support of parents and carers in this regard.

The same expectations of behaviour are expected of our students when they are recognisable as a member of our school both on and off the school site. Therefore, we expect the following:

- Good order on all public transport to and from school
- Positive behaviour, which does not threaten the health, safety or welfare of our students, staff, their peers at Fairfield or elsewhere, or members of the public, whether in person or online.

A serious incident involving a Fairfield student out of school (including at the weekend or during school holidays) may result in sanctions at school. We will always liaise with external agencies (eg police) to decide what is proportionate and appropriate in each case.

Sanctions and interventions

Sanctions and interventions are more likely to promote positive behaviour if they are used in a consistent and fair manner. The school will consider each case on an individual basis and will always act lawfully, reasonably and proportionally. Alongside any sanctions we will also draw from a range of positive strategies and interventions to support the student.

Examples of this include:

- A referral to access student services i.e. school counsellor, careers guidance
- Group/1:1 work
- Mentoring

- Bespoke curriculum timetables
- Changing class or tutor group either temporarily or permanently
- Being put on an IBP (Individual Behaviour Plan)
- Being put on a PSP (Pastoral Support Plan)
- Referral to appropriate external agencies

Where necessary, support and advice will also be sought from specialist staff (SENDCo, Learning Managers), an educational psychologist, medical practitioners and/or others, to identify or support specific needs.

When acute needs are identified in a student, we will liaise with external agencies and plan support for that child. We will work with parents/carers to create the plan and review it on a regular basis.

PHYSICAL RESTRAINT

Very rarely we may need to restrain a student who is in danger of causing damage to themselves, others or school property. This will only ever take place using the minimum of force required and normally only by properly trained staff, unless it is an emergency. All incidents of physical restraint will be properly documented as soon as possible after the incident and parents/carers will be informed as soon as is reasonably possible.

EXCLUSIONS

- Exclusions at Fairfield High School follow the statutory guidance from the DfE ([Exclusion from maintained schools, academies and pupil referral units in England](#))
- The guidance is reproduced here:

Exclusions can only be given by the Head Teacher (or his/her Deputy in the absence of the Head Teacher)

The 2 types of exclusions are:

Fixed-term (temporary) exclusions

A student can be excluded for 1 or more fixed periods, up to a **maximum of 45 school days** in a school year – This does not have to be a continuous period of exclusion.

A fixed-term exclusion cannot be extended or converted to a permanent exclusion. However, a further fixed-period or a permanent exclusion can be added to begin immediately after the end of the first fixed period. This usually happens in 'exceptional cases', where further evidence has come to light.

Permanent exclusions

Exclusions will only be used as a last resort.

- It's in response to a serious breach, or persistent breaches, of the school's behaviour policy;
- Where a student's behaviour means that allowing the student to remain in school would seriously harm the education or welfare of the student or others in the school
- A thorough investigation will be undertaken before any exclusion, and any extenuating circumstances will be taken into account (with reference to other policies).
- Permanent exclusions are rare but are a sanction available to the Head Teacher should there be extreme circumstances or a student has persistently failed to respond to other sanctions or strategies intended to support him/her in modifying his/her behaviour.
- Teachers will set work for excluded students and mark it as appropriate.
- Parents/Carers are responsible for ensuring that their child remains at home during the day(s) of exclusion and that work is completed.
- If an exclusion is for longer than 5 days, the school will make alternative provision and parents are responsible for transporting the student to this alternative provision.
- The Local Authority is always notified of a fixed term or permanent exclusion and they remain on a student's record.
- Following a fixed term exclusion, a readmission meeting to set targets will be held between the Head Teacher or his/her representative, a parent/carer and the student.
- Other than in exceptional circumstances, a student will not be readmitted without a meeting with parents or carers.

Parents/carers will be notified immediately in the event of a student receiving a fixed term or a permanent exclusion. Parent/carers will be required to collect the student as soon as possible following notification.

Managed moves

- Occasionally when fixed term exclusions have failed and a student is at serious risk of permanent exclusion a managed move may be considered.
- The student, parent/carers and the Local Authority must be included in this decision.
- The process lasts for 12 weeks and there is a review of progress at 6 weeks. The receiving school can decide to end the process at any time if they feel that a student has not met their expectations. If successful the student is taken on to the receiving school's roll at the end of the process and removed from the roll of the previous school.
- If the process is not successful, the student can be sent back to their original school at any time; if subsequently the student is permanently excluded, he/she cannot be admitted to the managed move school.

- Transport to the receiving school is normally the responsibility of the parent/carer; this will form part of the discussion between the school, parent/carer and Local Authority.

Partnership places at a Pupil Referral Unit (PRU)

- Students may be offered the opportunity to complete some of their education with a Pupil Referral Unit.
- This may either be on a part or full time basis.
- These arrangements are made by the school in consultation with parents/carers and a PRU.
- Students will not lose their place at Fairfield High School whilst they are at a PRU; they are 'dual registered' (unless they have been permanently excluded).

Roles and Responsibilities

Everyone in the school community has a responsibility to ensure that behaviour is appropriate and is not hurtful, harmful or abusive towards others

Students

Students have a responsibility to others to model and promote positive behaviour. They are expected to:

- adhere to the school behaviour policy
- behave in an orderly and self-controlled way
- show respect to members of staff and each other
- in class, make it possible for all students to learn
- treat the school buildings and school property with respect
- wear the correct uniform at all times
- accept sanctions when given
- refrain from behaving in a way that brings the school into disrepute, including when outside school

Class Teacher: Learning and Teaching. A well-designed lesson develops and maintains positive behaviour.

- Staff should use the most appropriate method of teaching with appropriate pace and challenge which draws on students' experiences and values their contributions and ensures work is differentiated suitably so that all students can learn appropriately and effectively.
- Implementing the behaviour policy consistently which includes positive rewards alongside appropriate sanctions

- Modelling positive behaviour
- Providing a personalised approach to the specific behavioural needs of particular students
- Recording behaviour incidents using school systems (SIMS)

The senior leadership team will support staff in responding to behaviour incidents.

Role of the Form Tutor

It is in Form Tutor Time that an effective Form Tutor sets the tone of the day. They should:

- Establish the high standard of conduct and behaviour expected of students which are to continue throughout the day
- Complete Smart Start uniform and equipment checks, effectively supporting students to avoid any later issues that may arise.
- Carry out administrative duties such as reviewing student behaviour of form class (patterns of attendance, punctuality and academic progress)
- Form Tutors have a responsibility to develop the group's identity and cohesion through form activities and using the Creative Critical Thinking themes
- All staff to be vigilant with behaviours for learning when travelling between lessons
- All staff have a responsibility to monitor behaviour around the school site
- Going to the toilet during lessons is not allowed except for medical reasons.

Parents/carers

Parents are expected to:

- Support their child in adhering to the student code of conduct
- Ensure regular and punctual attendance
- To work in partnership with the school to promote positive behaviour
- Inform the school of any changes in circumstances that may affect their child's behaviour
- Discuss any behavioural concerns with the school promptly

Senior Leadership Team

SLT will support positive behaviour at Fairfield High School by:

- Implementing policy and processes, ensuring there is a consistent approach across the school
- Supporting staff to apply the behaviour policy
- Liaising with parents and carers about behaviour concerns
- Agreeing appropriate and effective sanctions or interventions

Fairfield High School Directors

The Directors are responsible for monitoring this behaviour policy's effectiveness and holding the head teacher to account for its implementation.

Whole school approach

To ensure that there is a consistent approach to behaviour, we use a whole school Provision map that allows staff to overview any support or interventions, which have been put in place. The provision map gives an awareness into individual students progress and if there are any barriers that may be affecting how they access education. This could include behaviour; attendance; safeguarding or SEND.

The Deputy Head and Senior Learning Manager monitor behaviour. They monitor the number and type of incidents that occur on a daily and weekly basis, whilst also considering data such as absence, pastoral concerns and academic progress and will put in place any support needed by the student, keeping parents/carers informed.

Students may move up and down the behaviour levels depending on the behaviours that have been displayed during that monitoring period.

SEND

Some students will require behaviour incidents to be dealt with in a certain manner, taking into consideration their specific SEND needs. In these cases, SLT will work closely with the SENDCo to implement the best sanctions and strategies for those students that will support the student to model positive behaviours.

Policy and review

The behaviour process and behaviour management system is reviewed by SLT. All staff have opportunity to discuss behaviour management at pastoral staff meetings.

This behaviour policy will be reviewed by the Head Teacher and Board of Directors every two years.

Appendix A

Behaviour Levels of Need and Pathways *(The list of behaviours and interventions/sanctions here is not exhaustive)*

Level	Example of behaviour type	Lead staff	Intervention/strategies for lead staff	Further action if intervention fails
Level 0	Models positive behaviour and meets behaviour expectations	All staff	<ul style="list-style-type: none"> • achievement points on SIMs, • postcards home and • planner comments. 	
Level 1:	Break/Lunch incident Chewing Gum Did not attend detention Failure to bring lesson equipment Failure to follow instruction Failure to complete H/W Failure to bring P.E kit Inadequate work Inappropriate language Insolence Late to lesson/school	Form tutor/class teacher	<ul style="list-style-type: none"> • Positive behaviour management and de-escalation strategies • Discussion with student during tutor time/at end of lesson • Phone call to parents/carers • Letter sent home • Detention given (10min) • Smart start equipment loaned • Tracker request • Recorded on Sims 	<ul style="list-style-type: none"> • Referral to HOF/LM • Referral to attendance officer • Form tutor referral to behaviour panel • Positive strategies discussed during staff/faculty meetings and shared

	<p>Low level disruption</p> <p>Planner</p> <p>Smart start equipment</p> <p>Smart start uniform</p> <p>Use of mobile phone</p>			
Level 2:	<p>Damage to property</p> <p>Defiance</p> <p>Did not attend detention</p> <p>Misuse of ICT equipment</p> <p>Persistent defiance</p> <p>Persistent low level disruption</p> <p>Persistent failure to bring class equipment/P.E kit</p> <p>Persistent use of Mobile phone</p> <p>Repeated failure to do H/W</p> <p>Use of mobile phone</p>	Class teacher	<ul style="list-style-type: none"> • Positive behaviour management and de-escalation strategies • Discussion with student during at end of lesson/break/lunchtime • Phone call to parents/carers • Letter sent home • Detention given • Recorded on Sims • Detention given • Mobile phone policy followed 	<ul style="list-style-type: none"> • HOF/faculty detention • HOF tracker request • HOF support and strategies • Referral to behaviour panel • Positive strategies discussed during staff/faculty meetings and shared • Class/form move • LM 1:1/group work • Referral to SENDco
Level 3:	<p>Break/Lunchtime incident</p> <p>Damage to property</p> <p>Defiance</p> <p>Persistent failure to attend detention</p>	HOF/LM	<ul style="list-style-type: none"> • Positive behaviour management and de-escalation strategies • LM detention • Isolation • Phone call to parents/carers 	<ul style="list-style-type: none"> • SLT callout • SLT detention • SLT referral • SLT report • Behaviour panel/whole school strategies • PSP/behavioural support

	<p>Serious disruption to lesson (lesson cannot continue)</p> <p>Misuse of ICT equipment</p> <p>Abusive comment (racist; homophobic; sexual)</p> <p>Verbal abuse to student</p>		<ul style="list-style-type: none"> • Meeting with parent • Letter sent home • Tracker • After school detention • LM 1:1/group work • Recorded on SIMs • Red card system implemented 	<ul style="list-style-type: none"> • Support from external agencies
<p>Level 4:</p>	<p>Serious damage to property</p> <p>Fighting</p> <p>Incident out of school incl. journey to and from school</p> <p>Persistent lateness to lesson/school/truancy</p> <p>Bullying</p> <p>Abusive incident (racist; homophobic; sexual; peer-on-peer)</p> <p>SLT callout</p> <p>Verbal/physical towards staff</p> <p>Smoking/vaping</p> <p>Theft</p> <p>Assault</p> <p>Illicit substances</p> <p>Peer on peer abuse</p>	<p>SLT</p>	<ul style="list-style-type: none"> • Positive behaviour management and de-escalation strategies • Isolation • Phone call to parents/carers • Meeting with parent • Letter sent home • SLT report • Support from external agencies 	<ul style="list-style-type: none"> • Fixed term exclusion • Managed move • Permanent exclusion <p>Any of the above may include involvement or support of external agencies.</p>

BEHAVIOUR POLICY - Appendix B

Code of Conduct

At Fairfield students will be expected to adhere to the following:

- To take pride in their work and wherever possible actively involve themselves in the school community in a positive manner.
- To work hard to maximise their full potential in all areas.
- To actively encourage and support other students and members of the school community by showing respect and courtesy, and by learning from each other.
- To be considerate, respectful and punctual.
- To take pride in their appearance by conforming to the school uniform policy.
- To act as ambassadors for Fairfield High School when taking part in school visits or trips.
- To take care when moving between lessons and show consideration to others in order to avoid damage and injury.
- To show respect for their own and others property.
- To be environmentally aware by helping to maintain a clean and pleasant environment.

The following is NOT acceptable:

- Bullying of any kind.
- Actions which put any member of the school community at risk of harm.
- Inappropriate language and comments.
- Leaving the school site without permission.
- Bringing to school cigarettes, alcohol or any illegal substances.
- Bringing to school weapons and any other items that may cause harm or endanger others; this includes aerosol sprays of any kind.
- Bringing to school any kind of carbonated or sugary or high energy drinks.
- Using mobile phones in school unless a student has been given express permission to do so by a member of staff.

Abusive, harmful or hurtful behaviour.



See it



Name it



Stop it

**If in doubt, speak
to a member of staff.**



FAIRFIELD
HIGH SCHOOL

Appendix D Smart Start Equipment

Students must have the following items of equipment with them every day:

- Black or blue ball point pen (and a spare)
- Pencil and pencil eraser
- Ruler
- Reading book and scientific calculator

Useful additional items also include:

- Colouring pencils
- Protractor
- Pencil sharpener
- Glue

Students will need a sturdy school study bag in which to carry everything they need for the day.

Appendix E Behaviour specific to Covid-19

- Students to remain in designated areas as allocated by SLT
- Students to follow teacher instruction on entering/exiting a classroom or building taking social distancing into account
- If students sneeze or cough they need to use a tissue and once used it should be disposed of in a lidded bin immediately and hands should be washed/sanitised.
- Students should not share any equipment with anyone else- they are to bring their own: pen, pencil, ruler, calculator and planner to school.
- Toilets to be used in line with social distancing standards and as directed by staff- all to wash/sanitise hands upon entrance and exit of toilet
- If a student breaches any of the above points or deliberately coughs, sneezes, spits or touches another person then it will be treated as a serious breach of our behaviour policy and appropriate sanctions will be enacted.

Appendix F: WEAPONS IN SCHOOLS

WEST MERCIA POLICE GUIDANCE DOCUMENT

INTRODUCTION

When a young person makes a decision to take a knife or other offensive weapon into a school, it is a serious one with potentially fatal consequences.

Violence reduction, prevention of crime and intervention are strategic priorities for West Mercia Police; it is critical that the reasons for possession by students are fully understood to enable proportionate early intervention to take place to reduce the likelihood of repeat possession. This document has been created for guidance, support and to advance the knowledge of school leaders around the powers and law when dealing with offensive weapons.

West Mercia Police are committed to preventing crime, protecting the public from harm and helping people in need. Keeping schools and wider communities safe, reducing the risk of young people getting drawn into crime or anti-social behaviour, and building trusting relationships with students, staff and neighbourhoods are essential to achieving these aims.

CORE PRINCIPLES

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.

Police and partner intervention should assist in one or more of the following ways:

- 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

West Mercia Police will be firm, fair and consistent with young people involved in crime. The principal aim of the youth justice system is to prevent and reduce offending by children and young people. To this end, we have agreed to make most decisions on offence resolution for young people in partnership with Youth Offending Services whose experience and skills will be fully utilised. We believe that more time and effort invested in dealing with offending behaviour at this early stage will better serve our communities over the longer term.

INCIDENT REPORTING

Where an immediate police response to an incident at the school is required, dial 999.

For example: a student has been detained in possession of a knife on school premises and poses, or is likely to pose, a risk of:

1. Danger to life.
2. Use or immediate threat of use, of violence.
3. Serious injury to a person.
4. Serious damage to property.

When there isn't such an immediate risk, schools should report incidents to the police non-emergency number by dialling 101.

For example, a student has been searched and found to be in possession of a knife which has been seized, and the student does not pose any further risk as detailed above.

Due to the serious nature of weapons possession and potential consequences, contact should be prompt in order that future risk is managed and behaviour confronted.

When reporting incidents of weapons possession to 101, schools should always request and record the incident log reference number. This will facilitate further contact in relation to the incident.

Schools are asked to retain the weapon in a safe place until police attend and seize the weapon for evidential purposes. Once it is established that a weapon is unlawful, a crime record will be created and a proportionate investigation will ensue.

ADVICE FOR PRIMARY SCHOOLS

The age of criminal responsibility is currently 10 years old which means that children under this age are not considered liable for their actions under the law. However, it is imperative that every opportunity is taken to intervene and prevent the likelihood of further weapons possession or offending. This guidance, therefore, is as relevant to primary settings as it is to secondary schools and further education establishments.

From a school perspective, the DfE Searching, Screening and Confiscation Guidance (February 2014) states:

'Any weapons or items which are evidence of an offence must be passed to the police as soon as possible.'

As outlined below, possession of an offensive weapon or bladed article on school premises is an offence under the Criminal Justice Act 1988, therefore all incidences of possession must be reported to the police by schools regardless of the age of the child.

LAW AND DEFINITIONS

Possession of a weapon is a criminal offence. The law provides the police and schools with specific powers to deal with incidents involving weapons.

POSSESSION OF AN OFFENSIVE WEAPON/BLADED ARTICLE ON SCHOOL PREMISES

Section 139A of the Criminal Justice Act 1988 creates the offence of possessing an article with a blade or sharp point or an offensive weapon on school premises.

Offences

- Section 1 of the Prevention of Crime Act 1953 prohibits the possession in any public place of an offensive
- weapon without lawful authority or excuse.
- Section 139 of the Criminal Justice Act 1988 prohibits having with you, in a public place any article which has a blade or is sharply pointed, (including a folding pocket knife if the cutting edge of its blade exceeds
- 7.62cm/3 inches)
- 139A(1) Any person who has an article to which section 139 of this Act applies with him on school premises shall be guilty of an offence.
- 139A(2) Any person who has an offensive weapon within the meaning of section 1 of the Prevention of Crime Act 1953 with him on school premises shall be guilty of an offence.

Meaning of Offensive Weapon

Any article made or adapted for use for causing injury to the person, or intended by the person having it with him for such use by him, or by some other person.

The meaning of offensive weapon can be broken down into two categories:

- (a) Those that are offensive per se, that is, those either made (e.g. knuckle-duster, dagger, gun) or adapted (e.g. broken bottle) for use for causing injury to the person; and
- (b) Weapons not so made or adapted (e.g. kitchen knife, spanner, hammer) but intended by the person having it with him for causing injury to the person.

Defences

- 139A(3) It shall be a defence for a person charged with an offence under subsection (1) or (2) above to prove that he had good reason or lawful authority for having the article or weapon with him on the premises in question.
- 139A(4) Without prejudice to the generality of subsection (3) above, it shall be a defence for a person charged with an offence under subsection (1) or (2) above to prove that he had the article or weapon in question with him:-
 - (a) for use at work,
 - (b) for educational purposes,
 - (c) for religious reasons, or
 - (d) as part of any national costume.

Meaning of school premises

139A(6) In this section and section 139B, "school premises" means land used for the purposes of a school excluding any land occupied solely as a dwelling by a person employed at the school; and "school" has the meaning given by section 4 of the Education Act 1996.

Notes:

(i) These offences can be committed at any time of the day, not merely during normal school hours, as long as the land is normally used as school premises (e.g. for the normal academic year). The

creation of these offences was intended to cover a gap in the law where such weapons are carried on school premises which are not public places because many schools do not allow access to the general public outside school hours.

(ii) However, the wording of section 139A above is such that the offences could be committed on school premises even when the public do have access (e.g. a youth has a 10cm (4 inch) long knife at a public car boot sale being held on school playing fields on a Bank Holiday Monday). There is, therefore, some overlap with the older legislation concerning the possession of offensive weapons and sharp blades in public.

(iii) There is a specific police power to enter and search school premises in connection with an offence under this section.

BB GUNS (PLASTIC PELLET GUNS)

The possession of these types of guns under legislation is not an offence as they are deemed to be toys. However, if from a school's perspective they breach school rules, they could be seized and retained under the Education Act.

If an item is found which is suspected to be a gun, and it cannot be ascertained whether it is a genuine firearm or a BB gun, it should always be treated as a firearm and the police called to make that decision.

Possession of these items becomes an offence when a person is misled into believing they are genuine firearms in order to provoke fear; the BB gun may then be classed as an imitation firearm. Circumstances giving rise to this belief may include use:

1. in connection with a robbery
2. to threaten someone
3. as a weapon to assault someone, e.g. pellet injures

POSSESSION OF A TASER (STUN GUN)

Classed as firearms, TASERS discharge a high level of voltage designed to incapacitate a person; any possession of such items is a serious offence and should be reported to the police. Disguise or concealment of a TASER as another item e.g. mobile phone, is considered a serious aggravating factor. TASERS may be designed to look like torches or mobile phones, but will usually feature metal prongs which are fired to penetrate the skin and discharge an electrical current via fine filaments. Stun guns use metal electrodes to deliver shocks via direct contact.



Handheld Stun Gun



Concealed Stun Gun (Torch)



Concealed Stun Gun (Phone)

MEMBERS OF STAFF POWERS TO SEARCH PUPILS

Section 550ZA of the Education Act 1996 enables a Headteacher /Principal or other authorised member of staff of a school in England, to search a pupil and their possessions, if they have reasonable grounds to believe that the pupil is carrying a prohibited item.

- 550ZA (1) This section applies where a member of staff of a school in England:
 - (a) has reasonable grounds for suspecting that a pupil at the school may have a prohibited item with him or her or in his or her possessions; and
 - (b) falls within section 550ZB(1).

- 550ZA (2) The member of staff may search the pupil ("P") or P's possessions for that item.

- 550ZA (3) For the purposes of this section and section 550ZC each of the following is a prohibited item:
 - (a) an article to which section 139 of the Criminal Justice Act 1988 applies (knives and blades etc.);
 - (b) an offensive weapon, within the meaning of the Prevention of Crime Act 1953;
 - (c) alcohol, within the meaning of section 191 of the Licensing Act 2003;
 - (d) a controlled drug, within the meaning of section 2 of the Misuse of Drugs Act 1971, which section 5 (1) of that Act makes it unlawful for P to have in P's possession;
 - (e) a stolen article;
 - (ea) an article that the member of staff reasonably suspects has been, or is likely to be, used -
 - (i) to commit an offence, or
 - (ii) to cause personal injury to, or damage to the property of, any person (including P);
 - (f) an article of a kind specified in regulations ;
 - (g) any other item which the school rules identify as an item for which a search may be made

EDUCATION ACT 1996 - POWER OF SEARCH SUPPLEMENTARY (AUTHORISATION/CONDITIONS) (ENGLAND ONLY)

Section 550ZB of the Education Act 1996 sets out the conditions before a search can be carried out on a pupil or their possessions under section 550ZA (English school only).

550ZB(1) A person may carry out a search under section 550ZA only if that person:

- (a) is the Headteacher/Principal of the school; or
- (b) has been authorised by the Headteacher/Principal to carry out the search.

550ZB(4) A search under section 550ZA may be carried out only where:

- (a) the member of staff and P are on the premises of the school; or
- (b) they are elsewhere and the member of staff has lawful control or charge of P.

550ZB(5) A person exercising the power in section 550ZA to search for an item within section 550ZA(3)(a) to (f) may use such force as is reasonable in the circumstances for exercising that power.

550ZB(6) A person carrying out a search of P under section 550ZA:

- (a) may not require P to remove any clothing other than outer clothing
- (b) must be of the same sex as P, unless the condition in subsection (6A) is satisfied

- (c) may carry out the search only in the presence of another member of staff, unless the
- (d) condition in subsection (6A) is satisfied; and
- (e) must ensure that the other member of staff is of the same sex as P if it is reasonably
- (f) practicable to do so.

550ZB(6A) The condition is satisfied if:

- (a) the person carrying out the search reasonably believes that there is a risk that serious harm will be caused to a person if the search is not carried out as a matter of urgency, and
- (b) in the time available it is not reasonably practicable for the search to be carried out by a person of the same sex as P or in the presence of another member of staff (as the case may be).

550ZB(7) P's possessions may not be searched under section 550ZA except in the presence of:

- (a) P; and
- (b) another member of staff, unless the condition in subsection (7A) is satisfied.

550ZB(7A) The condition is satisfied if:

- (a) the person carrying out the search reasonably believes that there is a risk that serious harm will be caused to a person if the search is not carried out as a matter of urgency, and
- (b) in the time available it is not reasonably practicable for the search to be carried out in the presence of another member of staff.

POWER OF SEIZURE, RETENTION AND DISPOSAL

Section 550ZC of the Education Act 1996 states what powers are available to a Headteacher/Principal or other authorised member of staff of a school in England who discover prohibited items when searching a pupil or their possessions under section 550ZA.

550ZC(1) A person carrying out a search under section 550ZA may seize any of the following found in the course of the search:

- (a) anything which that person has reasonable grounds for suspecting is a prohibited item
- (b) any other thing which that person has reasonable grounds for suspecting is evidence in relation to an offence.

550ZC(2) A person exercising the power in subsection (1) to seize an item within section 550ZA(3)(a) to (f) or anything within subsection (1)(b); may use such force as is reasonable in the circumstances for exercising that power.

550ZC(6A) A person who seizes an item that is a prohibited item by virtue of section 550ZA(3)(ea) (article used in commission of offence or to cause personal injury or damage to property) under subsection (1) must:

- (a) deliver the item to a police constable as soon as reasonably practicable,
- (b) return the item to its owner,
- (c) retain the item, or
- (d) dispose of the item.

550ZC(6B) A person who seizes an item that is a prohibited item by virtue of section 550ZA(3)(g) (item for which search may be made under school rules) under subsection (1) must return it to its owner, retain it or dispose of it.

550ZC(6C) In deciding what to do with an item under subsection (6A) or (6B), the person who seized it must have regard to guidance issued for the purpose of this section by the Secretary of State.

550ZC(8) A person who, under subsection (1), seizes -

- (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;
must deliver it to a police constable as soon as reasonably practicable.