

1.14.23 Offensive Weapons Policy

Policy Statement

At Bryn Melyn Care we believe that ensuring health and safety of young people, students, staff and visitors is an integral part of daily life. It plays a vital part in ensuring we are an organisation where people will develop and grow.

As unfortunately the carrying of offensive weapons appears to be becoming more common within society it is important that Bryn Melyn Care recognises this and takes appropriate steps to limit any risk from such items within our homes and schools.

It is an offence under section 139A of the Criminal Justice Act 1988 (as inserted by the Offensive Weapons Act 1996) to carry an offensive weapon or knife on school premises.

It is also an offence to carry an offensive weapon or knife in a public place unless a person has a good reason or lawful authority for having this with them.

Bryn Melyn Care is clear that every young person, student and employee has the right to be treated with dignity and respect and that assaults on anyone whether it be verbal or physical are not acceptable. Bryn Melyn Care will promote measures to deter violence, threatening behaviour, abuse or other unacceptable behaviour and will, where necessary, take appropriate action against any individuals responsible for such acts.

The following sets out the position of Bryn Melyn Care in relation to offensive weapons on any of its sites or any activity organised by Bryn Melyn Care whether on or off site including off site visits and activities.

Contents

1. **Definition of Offensive Weapon**
2. **The Position of Bryn Melyn Care in Respect of Offensive Weapons**
3. **Confiscated Items**
4. **Discipline / Sanctions**
5. **Risk Assessment**
6. **Management Actions**

1. Definition of Offensive Weapon

At Bryn Melyn Care offensive weapons are defined as:

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

It includes but is not limited to:

- A firearm of any description including starting pistols, air guns, ball bearing guns, paintball guns and replica guns
- Knives including all variations of bladed objects e.g. pocket knives, craft knives, etc.
- Pyrotechnics including fireworks, smoke bombs, hand held and distress flares
- Laser pens and pointers
- Dangerous fluids
- Other objects, even if manufactured for a non-violent purpose but which have a potentially violent use i.e. **the purpose of carrying the object is for use, or threat of use as a weapon** (such items could include such things as scissors, nail files, pencil sharpener blades, bats, sticks, chisels, screwdrivers, hammers, and other tools, etc.)

2. The Position of Bryn Melyn Care in Respect of Offensive Weapons

Bryn Melyn Care has a policy of zero tolerance towards offensive weapons on any of its sites or activities and as such no young person, student, employee or member of the public is to bring any such item on to the site or to an activity.

Notwithstanding the above, it is recognised that in order for Bryn Melyn Care to function a variety of objects mentioned above will need to be used for educational or other purposes. These will only be supplied and managed by staff from Bryn Melyn Care who are responsible for supervising their issue, use and collection and who will make sure they are all accounted for at the end of each lesson/activity and are securely stored when not in use.

It is also recognised that within certain elements of the Sikh religion there is a specific requirement to wear a Kirpan as part of the religion. The position of Bryn Melyn Care in relation to the wearing of a Kirpan will be that either a replica Kirpan should be worn in school/the home or that a Kirpan should be adapted such that the blade cannot be withdrawn and it should be worn in a sheath underneath clothing. This is seen as a sensible compromise allowing the religious beliefs of the young person to be respected without putting others at risk. If this situation occurs at Bryn Melyn Care this will be discussed specifically with the individual young person and their parents/carers. It should be noted however that if a sensible compromise cannot be reached; at all times the safety of all students, young people and employee will be the first and overriding concern of Bryn Melyn Care and this will mean that a Kirpan will not be allowed into school/the home where it could cause serious injury.

In the event that it is suspected that anyone is in possession of an offensive weapon the Head teacher / Home Manager or their authorised deputies or nominated staff will be summoned to assess the situation and take control.

Where the incident involves a young person in their control they will make a decision on whether or not the incident is innocent in nature and can be dealt with under the disciplinary policy or if the police will need to be called. The following actions will then be implemented as necessary:

- The young person will be isolated. This may involve moving others away from the area.
- The police will be called where it is deemed necessary
- The Head teacher / Home Manager or their authorised deputy/nominated staff, in the presence of another member of staff, will if it can be done in a safe and controlled manner, ask the young person to pass the item to them or disclose where it is located
- Any weapon recovered will be removed by the authorised person and locked securely away until it can be passed to the police

- Where the young person refuses to co-operate staff will not be expected to undertake searches but the police will be called and asked to carry out a search
- The young person's parents/carers/Social Worker will be called
- An incident report will be completed and made available to the police if requested
- An investigation will be carried out by the Head teacher / Home Manager or their authorised deputy/nominated staff into the incident to determine what disciplinary measures/sanctions will need to be imposed
- Copies of any report and forms will be kept at the setting and a copy also sent to the Social Worker and the Operations Director at Bryn Melyn Care

NB. For any incidents involving visitors to the site where an offensive weapon is involved or an alleged offensive weapon is suspected the police will be called. In these situations it is the responsibility of all staff to move young people to a position of safety until the police arrive and take charge of the situation.

3. Confiscated Items

Any offensive weapon (as defined in this policy) confiscated will normally be handed directly to Police, and will not be returned to the person unless given specific Police guidance to do so.

At the discretion of the Head teacher / Home Manager, where they decide that the circumstances of the incident were innocent, a confiscated item may be returned directly to a parent/carer who will be required to sign for its receipt and that the item will not be brought back onto any Bryn Melyn Care premises. This will normally take place when other young people are not on the site. It will be kept in a secure place in the safe in the School/home office until collection.

4. Discipline / Sanctions

Young people caught with an offensive weapon on site will be dealt with according to the behavioural policy and procedures of the school/home. It is highly likely that exclusion, possibly permanent, will be the outcome of bringing into school, or being caught with, an offensive weapon.

Schools/homes should refer to their own behaviour/ discipline policy for young people when dealing with incidents involving offensive weapons and these should clearly state the sanctions which may be imposed depending on the seriousness of the offence. The sanctions should be clearly stated as part of these policies and should be clearly communicated to young people and parent/carers.

5. Risk Assessment

Ensure an appropriate risk assessment is in place for the security of the premises. Individual risk assessments should also be in place for any young people known to carry offensive weapons or with a history of such offences or significant violence.

6. Management Actions

It is strongly suggested that schools/homes carry out the following actions:

- Review and amend the school's/homes discipline and behaviour policies in line with the offensive weapons policy
- Ensure that the policy is made known to all staff and that they are clear as to their roles
- Authorise staff who are to be involved in dealing with offensive weapons situations and ensure they receive any training in relation to their role if necessary
- Review any existing risk assessments or carry out any new assessments deemed necessary
- Establish contact with your local police liaison contact to discuss the policy and any input they may want to provide and to discuss any potential for including preventative work with young people around offensive weapons and knife crime
- Schools/homes should ensure that it is clear in their policy that it is against regulations and an offence to bring any offensive weapon onto site. This should be clearly communicated to all young people and parents/carers.

Revision History

Date last updated: July 2020

Date of next review: July 2021

Date of release: December 2019

End