

Orbis Schools Wales: Search Policy

Policy Number:	EDW024	Originator:	Rachel Hackling
Issue Number:	1	Authoriser:	Amanda Morgan-Taylor
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Next Review Due:	02/2022	Policy Location:	All Files/Radar

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1. This policy should be read in conjunction with the following policies:

- Restraint
- Safeguarding
- Exclusions

2. Offensive Weapons and Search

2.1 It is illegal to carry knives or other offensive weapons. The directors at Orbis Schools Wales recognise that the presence of weapons or items which could potentially be offensive weapons, in the School would create not only unacceptable risks of bullying, injury or death, but also create a climate that undermines the educational purposes of the School. It is, therefore, the School Policy to forbid the possession, custody and use of weapons by unauthorized persons in, on, or around the School premises and during School activities. These rules apply at all times except where an item, which could potentially be an offensive weapon, is issued to a pupil by a member of staff at the School or is required by the School 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.

2.2 For the purpose of this Policy weapons could include:

- a firearm of any description, including starting pistols, air guns and any type of replica or toy gun;
- knives, including all variations of bladed objects, ie, 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.

2.3 Any pupil found to be in breach of the Policy shall be subject to action under the school's Exclusion Policy.

This could mean fixed or permanent exclusion from the school. In some circumstances, the police might also be contacted.

This document relates to Article 23 (*Every child with a disability has the right to live a full and decent life with dignity and independence, and to play an active part in the community. Governments must do all they can to provide support to disabled children.*) of the UN Convention the Rights of the Child. *This organisation is committed to safeguarding and promoting the welfare of children and young people*

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3 Procedure for Dealing with Knives and Offensive Weapons

3.1 The Police should be informed of any incident believed to involve a weapon (unless there are other prearrangements in place). However, where, in the judgement of the staff, the circumstances are wholly innocent 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 School'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 School staff.

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

- Designated staff should always be called to assess and manage any situation where an offensive weapon is suspected:
- where there are reasonable grounds to suspect that a pupil might have a weapon/object that could cause harm in their possession, 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 pupil's consent;
- 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 pupil are on School premises or are elsewhere and the member of staff has lawful control or charge of the student.

3.1 A member of staff carrying out a search:

- may not require a pupil 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; or may carry out the search only in the presence of another member of staff who is also of the same sex as the pupil;
- a pupil'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 School by a person in circumstances which contravene the Offensive Weapons Act 1996;
- 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, but a member of staff in possession of a weapon in such circumstances should secure it, and pass it immediately to the

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Head of Education or, in the Head of Education's absence, the Senior Teacher, and arrange without delay to surrender it to the Police

- where satisfied that it is reasonable to do so, arrange for it to be taken away by the parent/carer of the person from whom it was taken.

4. Equality Impact Statement

All relevant persons are required to comply with this policy and must demonstrate sensitivity and competence in relation to Age, Disability Gender reassignment, Marriage and Civil partnership, Pregnancy and Maternity, Race, Religion or belief, Sex and Sexual Orientation. If you, or any other groups, believe you are disadvantaged by this policy please contact the Regional Manager for the service.

Orbis will then actively respond to the enquiry.

This policy is owned by: Quality Department

Date: 24/02/2021

Signed:

A. E. Morgan-Taylor.

Company Confidential

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Orbis Education and Care, Vision Court, Caxton Place, Pentwyn, Cardiff CF238HA

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