

# **GUIDANCE FOR WEAPONS ARCH OPERATIONS ON EDUCATIONAL PREMISES**

## **PLANNING THE OPERATION**

The purpose of this guidance is to support police staff and education partners to safeguard the school and wider community by providing a framework for use of weapons arches within schools.

Weapons arches should be considered for use as part of a structured education program, supporting and re-enforcing the message that educational premises are safe places, and that the carrying of weapons of any type is not acceptable.

These should be conducted in an atmosphere of good humour and should be viewed as an opportunity to develop positive relationships between the police and young people. Indeed, students should be treated with respect and dignity at all times during any operation.

### **PROACTIVE USE**

Weapons arch operations may be organised proactively in partnership with schools to reassure students, parents and staff that their premises are a safe place to work and the possession of weapons of any type is not acceptable.

Weapons Arch operations should be supported by the School Intervention and Prevention Officers (SIPO) working alongside the school to communicate with pupils, explain the purpose of the operations and answer any questions the children may raise. This is critical to the legacy of the deployment in promoting the school as a safe environment and building relationships between children and policing. Educational Inputs such as Precious Lives, should also be considered to ensure operations are a balance of education and searching/screening.

### **REACTIVE USE**

The use of a weapons arch in a school following instances of possession or receipt of intelligence is designed to remove the threat from the school, identify young people carrying unlawful weapons and ensure appropriate support and intervention is provided through the Youth Offending Service or Criminal Justice Service as appropriate (see 'Aide Memoire for Weapons in Schools').

## **CONSIDERATIONS FOR CONDUCTING A PRE-PLANNED WEAPONS ARCH OPERATION**

1. Searching and Screening in an educational establishment is primarily done so under the Education Act 1996 Powers, bestowed upon the headteacher/Principal and any member of staff authorised by that person to do so, on their behalf. Education Act powers are for school staff only and do not apply to police officers. There should not be a reason for a Police Officer to conduct a Stop & Search during a Weapons Arch Operation, as they are conducted under police powers in a public place (seek support from your supervising officer if you are unsure)
2. A meaningful discussion between the school and Police should always take place prior to deployment commencing, so that roles and responsibilities are clear and the powers under which the searches are to be conducted are clear. The style and tone of the initiative promotes the welfare and safeguarding of children, adherence to school rules, and aids trust and confidence in policing

3. Police and School jointly agree to conduct such an operation on school premises. The School Intervention and Prevention Officers (SIPO) must be involved in the planning and delivery, so they can support the school and engage students in the educational aspects of the day
4. It is advisory that the school inform pupils and parents in advance of the operation, in anyway the school deem appropriate. I.e. letter out to parents before operation or beginning of the year, highlighting in behaviour policy.
5. Constituency Inspector/Neighbourhood Coordinator/Police Partnership Team, Headteacher/Principal and Designated Safeguarding Lead (DSL) or other allocated lead discuss and agree the parameters, needs and expectations of the operation
6. School are informed and have clarity about the options available to the police for dealing with any student found in possession of unlawful weapons dependent upon the circumstances, (see guidance and legislation section).
7. Arrange site visit to the school and confirm venue suitability for the operation to be conducted. As part of this visit, officers should work with the school to:
  - i) Identify sterile area i.e. gym/hall, to conduct the process
  - ii) Confirm what time the school will be open to enable the set-up of the weapons arch
  - iii) Enquire as to how the school timetable might impact on the use of the gym/hall iv) Confirm timings of break/lunch for students
  - v) Identify a suitable room that may be used to take students if a more thorough search/discussion with a student is required
  - vi) Agree numbers and skills/seniority of school staff required for the operation – Authorised by the Headteacher/Principal (they will need to be present for the entire operation as they lead the searches under Education Act 1996 powers)
  - vii) Complete operational order (WG435)
  - viii) Confirm protocol with school regarding procedure for search, seizure and retention of items found as covered by Section 550ZA Education Act 1996.
  - ix) Ensure all staff – police and school - are fully aware of their roles in conducting the operation
  - x) Ensure police staff are trained in the use and assembly of the weapons arch. If using wands ensure school staff also know how to use them.
8. Equipment required:
  - i) Metal detection arch
  - ii) Vehicle suitable to transport arch (consideration due to height of arch)
  - iii) Extension lead and power source
  - iv) Metal detection wands (spare supply of 12v batteries), Property bags, knife tubes, seals, exhibit labels
  - v) Associated paperwork (MG11s)
  - vi) Seating for waiting area
  - vii) Tables for placing trays on for metal items (provided by school)
  - viii) Dinner trays for students' items (provided by school) if available
  - ix) Cones for separating areas off if required (provided by school)

9. Media: The use of a weapons arch can sometimes be perceived as negative by the local community and schools may naturally be anxious about the impact on their reputation. It is crucial that officers understand this and have prior agreement with schools about how they see the media issue being dealt with. The police lead must establish in advance of the operation whether schools are happy to have the operation linked to social media releases by the force or NPT, whether they would like to jointly release a press article or would prefer no coverage to be sought.

Officers should reinforce the benefits of the process, advising that if approached proactively, before there is a problem, students and parents have reported feeling safer. Schools may also wish to showcase that they do not have a problem, evidenced by the fact they have had the weapons arch on site.

## CONDUCTING THE OPERATION

### The Role of School Staff:

1. Collect students and escort them to the area where the Weapons Arch operation is taking place
2. Explain the process of the Weapons Arch operation to the students and the necessity to conduct searches to keep all students/staff safe on campus (SIPOs – Schools intervention and prevention officers - to support with this educational input)
3. To lead on the operation whilst it is underway (unless behaviour becomes of a criminal nature, when officers will step into support)
4. Advise students to remove all metal items into trays prior to going through the arch (tip - use school dinner trays)
5. School staff conduct an **initial search** of students' outer clothing and bags using wands and/or physical and visual search (same sex: staff to pupils Section 550ZB).
6. Ensure a plan is in place for any students refusing to be searched, or those who turn up late on the day (possibly to avoid being searched after word has got around) always seek a path of de-escalation with pastoral staff/SLT, moving student(s) to a side room to discuss the student's concerns about being search (Outlining that SLT can refuse to have a student(s) on campus, if they refuse to be searched, under Education Act 1996 Powers - This must be reflected in the school Behaviour Policy).

### Initial Search by School Staff

- a) *Nothing found* = students go through weapons arch supervised by school staff.
- b) *Item found* = student brought to attention of police officers – depending on item student dealt with as per prearranged process.
- c) *Breach of School Rules* (e.g. phone / vapes / energy drinks / tobacco / alcohol / fireworks / pornography / Stolen Items / Illegal Drugs – Banned items must be outlined in school rules) = education staff to deal with issue and direct student through arch in case this is a distraction technique to the avoid arch.

### Metal Detection Arch Search (School Staff Led, with Police Support)

- a) *No activation* = student collects belongings and departs under direction of school staff
- b) *Activation* = school staff/police identify item that caused activation and, if necessary, take the student to a separate area out of view

**NOTE:** In order for a Police Officer to conduct a search in an educational premises reasonable grounds must be in place to allow such a search to take place (unlikely to be the case in a Weapons Arch Operation which is conducted under Education Act 1996 powers) a Weapons Arch is a screening tool and on its own refusal to be searched is unlikely to provide sufficient grounds for a Police Officer to conduct a Stop & Search. PCSOs can support the process of the Weapons Arch operation but not be directly involved in the direct searching process of any students.

#### **Metal Detection Arch Activation Outcome**

- a) No prohibited items found = no action
- b) Breach of school rules = school action
- c) Offensive weapons/bladed or pointed articles recovered = dealt with by police in line with National Police Chief's Council Guidelines Or WMP Deferred Prosecution Policy if applicable.

Recovered offensive weapons/bladed or pointed articles are to be crimed.

Weapons seized should be photographed alongside a ruler and placed in the detained property. Copy provided for school discipline process.

The minimum expectation for any young person found in possession of a weapon is:

- Evidence of the offence will be secured and preserved.
- Young person will be voluntarily interviewed.
- Referral is made to the Youth Offending Service who will fully assess the young person and the circumstances as part of a joint decision-making panel.

This process will ensure that the appropriate intervention from YOTS can be implemented.

See guidance and legislation section for further details.

***Consideration of a Community Resolution for weapons offences is against National Police Chief Charging guidance and should not be considered.***

#### **DEBRIEFING THE OPERATION**

At the conclusion of the operation a joint debrief should also be held to identify any learning points or raise any issues of concern. Consideration should be given to sharing any significant concerns via the relevant Police and Schools Panels meeting, under the standing agenda item 5. School Feedback (Searching & Screening)

#### **RELEVANT GUIDANCE AND LEGISLATION**

##### **Charging guidance National Police Chief's Council:**

- The starting point for a child aged under 16 for simple possession who has not previously been involved in any violent offending, or offences including knives or bladed articles should

be a Youth Conditional Caution (YCC). There may be circumstances where an alternative disposal may be appropriate, but this should be reserved for truly exceptional cases.

- The starting point for children and young people aged 16 or 17 for simple possession of knives or bladed articles should be to charge unless there are exceptional circumstances that would make it appropriate to issue a YCC. Over 16s with no previous convictions or aggravating factors, the starting point is a Charge

## **West Midlands Police Approach to Deferred Prosecution – Outcome 22**

***The National Guidance allows for very little discretion in relation to the circumstances of individual offenders and their reasons for carrying a weapon. There is a danger of criminalising young people who are frightened rather than bad. For this reason, West Midlands Police and the 7 WMYOS areas, are piloting an approach which focuses more on education and support for young people who meet the below criteria.***

### **Deferred Prosecution**

Eligible young offenders will be given a 'Deferred Prosecution' with a support / intervention package from YOS. If they comply, the case will be closed 'Outcome 22', which will appear as NFA on the PNC.

### **Eligibility**

- Young Person 10 – 17 years
- Not previously known to police
- No intelligence about the YP to give rise to concerns
- No aggravating circumstances to offence – knife has been found by the police or school during a search and has not been used to threaten or injure.
- Offender makes full admission and agrees to engage with YOS
- Wider background checks by YOS reveal no concerns about the YP.

Where an offence is not admitted, a decision will be made on whether there is sufficient evidence to charge

### **Process**

- PACE compliant interview with YP – admission of guilt (This is necessary as will be required in the case of breach)
- Intelligence checks – no concerns and no previous criminal history
- Refer to YOS, with recommendation for 'Deferred Prosecution'
- Inform Neighbourhood Justice Team of referral  
[NJ\\_Project@west-midlands.pnn.police.uk](mailto:NJ_Project@west-midlands.pnn.police.uk)
- YCOs do wider background checks
- Youth Panel – all OOCs available including Deferred Prosecution. Panel will decide the most suitable and the intervention to be provided.
- YOS manage intervention.

### **Recording of Outcome**

If the intervention is successfully completed, the report will be filed Outcome 22 – this will appear on PNC as an NFA outcome.

### **Breaches**

In the case of a breach, the outcome will revert to National Guidance I.e.

- 10 – 15-year olds Conditional Caution (this may need review if the YP has already breached the Deferred Prosecution)
- 16 / 17-year olds – submit advice file to CPS for charging decision

### **Communication of this policy to schools and parents**

It is recommended that this policy be communicated to schools and parents in order to gain support for Weapons Arch operations as 'safety initiatives' and to reduce fear of criminalisation of pupils not previously known to police

### **Possession of blade or sharp point or offensive weapon on school premises (Section 139A of the Criminal Justice Act 1988)**

### **Threatening with an article with a blade or point or an offensive weapon in a public place or on school premises (Section 139AA of the Criminal Justice Act 1988)**

### **Police Officer: Power of entry to search for articles with a blade of point and offensive weapons on school premises (Section 139B of the Criminal Justice Act 1988)**

### **Education Staff: Powers of search seizure and disposal (under Education Act 1996)**

- Section 550ZA gives power to staff members to search pupils for prohibited items, provides a power to seize, retain and dispose of items found during a search under section 550ZA.
- Section 550ZB gives details of search requirements and is a supplementary section to this section.
- Section 550ZC provides a power to seize, retain and dispose of items found during a search under section 550ZA.

### **Definition of 'School'**

Section 4 (1) of the Education Act 1996 states

*"school" means an educational institution which is outside the further education sector and the higher education sector and is an institution for providing:*

- a) primary education,*
- b) secondary education, or*
- c) both primary and secondary education,*

*whether the institution also provides part-time education suitable to the requirements of junior pupils or further education.*

**END**