

APPENDIX 1

Schools Protocol to reduce vulnerability factors and safeguard Children and Young People from serious youth violence

Version 2	Draft	30/7/19	
	Draft		DB
Version 2.1	Consultation	25/9/19	Head teachers briefing
Version 3	Sign off	26/9/19	Community Safety Partnership Board
Version 4	Sign off	28/10/19	Youth Crime Governance Board
	Information	26/11/19	Governors' conference
	Information		Safeguarding Leads
	Information		LSCP
			H & WB Board
	Information	Feb 20	Cleaner Greener Overview and Scrutiny

Foreword

We are ambitious when it comes to working with our schools and health service to ensure the system is holistic and efficient enough to tackle youth offending, the causes, and aftermath.

It is right we call youth offending out as criminality, which is harmful to society, but the causes, such as poor mental and emotional health, are just as damaging. With our brilliant Youth Offending Service working hard to prevent reoffending, and our Inspire Youth Offer providing a range of positive activities, we can achieve remarkable things. We can work with the police to punish those who prey on the vulnerable, and we can work to eliminate those vulnerability factors.

Knife crime offences accounted for 14% of all offences committed by children from Thurrock in 2017-18. This provides clear evidence that we need to have fewer separate services across education and health, and follow a united approach where inclusion is the byword in everything we do.

We have invested in expanding our YOS and Mental Health Services since 2016. We are fortunate that our youth reoffending rate is 29% (10% lower than the national average) and our NEET rate is 1.5% (almost half the national average). There is so much to build on here, which is why we will be opening a new co-located YOS and Skills base in Tilbury as a resource for the whole borough.

Our five strategic priorities, we ask the Schools and Colleges, Council's Scrutiny, and the Health and Wellbeing Board to hold us to account over are;

- 1) Bringing together our Skills Offer, Mental and Emotional Health Services, and the Drug and Alcohol Services, in one co-ordinated vulnerability group to reduce silo working and make sure we see the "whole young person" and take them from earlier intervention to positive life outcomes.
- 2) Ensuring all schools have embedded and robust awareness across their whole structure of risks and associated "stop and search" policies.
- 3) Where offences are committed, ensuring schools have clear pathways of support, initially with the Youth Offending Service where specialist support is required, followed by additional pastoral support from Mental and Emotional Health Services, and the Drug and Alcohol Services.
- 4) Growing our resource bases so our Vulnerability Services are accessible for all schools, in and out of term time.
- 5) Ensuring we have clear governance arrangements via our Community Safety Partnership.

Together, we will build a borough that is safer, and a safer borough is pro-active and inclusive borough.

By Cllr Andrew Jefferies Portfolio Holder for Education and Health

1. Introduction

This protocol aims to provide a reference document for education establishments in Thurrock; this includes Primary, Secondary, our Pupil Referral Unit and Colleges. This is in response to the Lessons from London and recommendations made by OFSTED following a research project on knife crime in education. The full report can be found at <https://www.gov.uk/government/publications/knife-crime-safeguarding-children-and-young-people-in-education>

The aim of producing this document and sharing with schools and colleges is to:

- Improve partnership working and strategic planning in Thurrock to support children and young people)
- To safeguard children and young people across Thurrock
- Share and promote good practice in relation to exclusions and managed moves across Thurrock
- Identify a range of preventive work (positive activities to support children and young people across Thurrock)
- To co-ordinate early help and prevention
- Improve information sharing and intelligence led response
- Reduce the need for permanent exclusions
- Enable our children and young people to achieve

This protocol supports two aims of Thurrock Health and Wellbeing strategy 2016/2021:

1. **A1. All children in Thurrock making good educational progress**
2. **C2. Improve children's emotional health and wellbeing**

As well as Priority 2 of the Community Safety Partnerships, plan for 2019/20:

1. **Tackling Violence and Vulnerability.**
- 2 **Prevention – Positive Activities.**

2.1 Relationships and Sex Education (RSE) and Health Education:

Statutory guidance for governing bodies, proprietors, head teachers, principals, senior leadership teams, teachers

To embrace the challenges of creating a happy and successful adult life, pupils need knowledge that will enable them to make informed decisions about their wellbeing, health and relationships and to build their self-efficacy. Pupils can also put this knowledge into practice as they develop the capacity to make sound decisions when facing risks, challenges and complex contexts. Everyone faces difficult situations in their lives. These subjects can support young people to develop resilience, to know how and when to ask for help, and to know where to access support.

The Relationships Education, Relationships and Sex Education and Health Education (England) Regulations 2019, made under sections 34 and 35 of the

Children and Social Work Act 2017, make Relationships Education compulsory for all pupils receiving primary education and Relationships and Sex Education (RSE) compulsory for all pupils receiving secondary education². They also make Health Education compulsory in all schools except independent schools. Personal, Social, Health and Economic Education (PSHE) continues to be compulsory in independent schools.

This guidance also sets out both the rights of parents and carers³ to withdraw pupils from sex education (but not Relationships or Health Education) and the process that head teachers should follow in considering a request from a parent. Parents have the right to request that their child be withdrawn from some or all of sex education delivered as part of statutory RSE.

Many schools are choosing to deliver relationships or sex education as part of a timetabled PSHE Program, with good outcomes. Where that provision meets the requirements of this high-level framework of core content they are free to continue with this model. Other schools may choose different curricular models for delivery.

2.2 Inspire Youth

The Inspire youth offer provides a range of services, which support young people who may need more targeted support. These services will be expanded via a co-located YOS and Skills Offer in modern facilities in Tilbury, for the whole borough. At present, we are operating a referral system into Inspire where young people can be referred to the following:

Holiday Activity Programs – Diversionary activities across all areas including creative arts, outdoor education, sports, leisure and fitness. The programs are designed to support those with an identified need including (but not exclusive to) health, wellbeing, school absence and offending, offering an opportunity to engage in a positive environment with a professional team of people. Young people have the opportunity to experience a different atmosphere whilst learning and exploring activities that they may not have done previously. Some activities are able to provide a qualification, which supports young people's learning, and work based skills.

Term time provision - Working in the four areas with the highest levels of Anti-Social Behavior the Youth Work team work in partnership within the local communities to provide a range of services to young people. This includes the traditional youth work setting, local street football sessions, detached youth work, and music sessions at one of our music studios.

The Youth Cabinet works across all communities. Youth workers are able to build positive relationships with young people supporting them to explore how they see the world and why they make the choices that they do. Building positive role models and offering young people the opportunity to have their voices heard, is fundamental to the work within the team.

Mentoring Service – A referral based service for young people with a low-level need of intervention, this could be offending, school attendance, substance misuse, health & wellbeing, risk of CSE, risk of gang related issues etc. Fully trained mentors who are experience in working with adolescent behaviors will operate the service.

A range of additional support opportunities are available to schools these are outlined below:-

Community Policing Team knife crime talks for years 6-8.

Essex County Fire and Rescue Service gang workshops delivered to schools

Delivering Fearless workshops in school as part of PSHE.

<https://www.fearless.org/en/professionals/resources>

YOS workshops - Professional awareness – delivered by practitioners within YOS for Teaching and support staff.

Professional awareness: know the signs – posters to be displayed clearly in staff areas and shared with parents.

Thurrock's Youth Offending Service

The core principal of Thurrock's Youth Offending service is to: ***“continue to reduce youth offending, protect the public and improve the safety and well-being of young people by working together with our partners”*** and has set a priority in relation to: **Gangs, Knives and Child Criminal Exploitation.**

At the Thurrock Youth Conference, December 2018, young people ranked 'Put an end to knife crime' as their top priority.

Knife crime and serious youth violence is having a huge impact on our local communities and is a societal problem which cannot be tackled without agencies and schools and colleges working together. We recognise that serious youth violence does not always related to gang and knife crime.

We outline below the Home Office definitions relating to serious youth violence:-

Definition of gang related violence

The Home Office define a gang as being:

A relatively durable, predominantly street-based group of young people who

- *see themselves (and are seen by others) as a discernible group*
- *engage in criminal activity and violence and may also*
- *lay claim over territory (not necessarily geographical, but can include an illegal economy territory);*
- *have some form of identifying structural feature; and/or*
- *Be in conflict with other, similar groups.*

Definition of knife crime

There is no Home Office definition of 'knife crime'. The phrase was adopted by the media and is now popularly used to refer primarily to stabbings but also to the illegal carrying of knives by young people in a public place or on school premises. However, 'knife-enabled crime' includes a variety of other offences involving a bladed weapon, for example it is an offence to cause or threaten harm with a knife and if used in a robbery or assault, it aggravates the offence. It is also illegal to look after, hide or transport a dangerous weapon on behalf of someone else, market a knife in a way, which is likely to encourage violent behaviour, and sell a knife to a person under 18.

One of the areas of concern that has been identified by our youth offending service is the increase in knife crime involving young people; clearly, this can potentially link with both gang affiliation and serious youth violence. The figure for 17-18 shows an increase above the national figure. This is in contrast to the figure recorded by Essex Police who measure this data in a different way (Essex Police measure offences committed in Thurrock as opposed to offences committed by young people resident in Thurrock). This type of offence accounted for 14% of all offences committed by children from Thurrock in 2017-18, a decrease has been seen in 18/19 reflecting the effort that has been put in to reversing this trend.

Offences (Ofsted)

Senior leaders and school staff must understand the law on knife carrying and knife offences generally so that there is a common approach to responding to such incidents.

These approaches will need to be flexible so that decision-makers can consider all the information. However, the underlying principles cannot rely too heavily on individual leaders, teachers or police officers making decisions about how deserving or undeserving of prosecution children are based on their vulnerabilities, as opposed to the risk they present.

Children's commissioner information

Being part of a friendship group is a normal part of growing up and it can be common for groups of children and young people to gather in public places to socialise. Belonging to such a group can form a positive and normal part of young people's growth and development. These groups should be distinguished from 'street gangs' for whom crime and violence are a core part of their identity, Although some group gatherings can lead to increased antisocial behaviour and youth offending, these activities should not be confused with the serious violence of gangs

3. Searches: Policy and Practice

3.1 Thurrock Council Education Department are requesting that all schools adopt a form of wording as outlined below within their policies concerning searching children and young people:

Why Schools should have a Search Policy?

Health and safety legislation requires a school to be managed in a way, which does not expose pupils or staff to risks to their health, and safety and this would include making reasonable rules as a condition of admittance. This policy supports safeguarding in education.

What the law allows:

- Schools can require pupils to undergo screening, even if they do not suspect them of having a weapon and without the consent of the pupils.
- Schools' statutory power to make rules on pupil behaviour and their duty as an employer to manage the safety of staff, pupils and visitors enables them to impose a requirement that pupils undergo screening.
- Any member of school staff can screen pupils.

Searching

- Head teachers, and staff authorised by them, have a statutory power to search pupils or their possessions, without consent, where they have reasonable grounds for suspecting that the pupil may have a prohibited item.

Prohibited items are:

Unlawful:

- knives or weapons
- illegal drugs
- stolen items
- fireworks
- Materials linked to radicalisation under the prevent agenda
- Any article that the member of staff reasonably suspects has been, or is likely to be, used:
 - To commit an offence, or
 - To cause personal injury to, or damage to the property of, any person (including the pupil).

Should be referred to the youth justice team or police for guidance.

May identify a concern for welfare:

- Youth produced sexual imagery or "sexting".
- Alcohol.
- Tobacco and cigarette papers

Head teachers and authorised staff can also search for any item banned by the school rules, which has been identified in the rules as an item, which may be searched for.

Confiscation

- School staff can seize any prohibited item found as a result of a search. They can also seize any item, they consider harmful or detrimental to school discipline.

Reporting

In the event of any unlawful prohibited item, being found Essex Police and Thurrock Council must be informed.

For full advice refer to:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/674416/Searching_screening_and_confiscation.pdf

3.2 Should schools feel that there is a requirement to raise awareness amongst their facilities and grounds teams in relation to the location and methods of concealing weapons/drugs then contact with the local community policing team can provide further information. The local community policing team may be able to provide advice to assist in this area upon agreement between parties. All requests will be assessed based on the level of risk/concern at the time of contact and also the availability of police resources.

3.3 Schools should have a search policy linked within the safeguarding policy and dependant on availability of police resources the Community Policing Team will be able to provide advice based on level of risk/concern

3.4 That schools give some consideration to the purchase of a wand clearly this would need to have the appropriate policy support around how to use the equipment and be agreed with the governing bodies of the school.

3.5 Reporting of finding a weapon: if any of the prohibited items are found anywhere on site Police should be immediately informed through 101. Thurrock Council Inclusion Team should also be made aware.

4. Prohibited items in School: Policy and Response

4.1 Police and the inclusion team will be contacted if school has a suspicion of Prohibited items being brought into school

4.2 The following action must be taken by school if a child is found to be in possession of Prohibited items in school

Police will be informed

- They will follow national and local procedures in relation to knife crime.
- The school or college will operate within its own policies and procedures and may consider a fixed term exclusion.
- The Youth offending Service (YOS) to be notified and will complete an intervention as part of a statutory outcome e.g. Youth Conditional Caution (YCC) / Charge. If the police makes the decision not to refer to YOS for a decision, YOS will be unable to offer an intervention for a pupil.
- If the pupil does not engage with the programmes available, the school will operate within its own policies and procedures and may consider a permanent exclusion which would require governor approval.

4.3 For pupils aged under 16:

- Police will follow national and local guidance and police procedures.
- A PACE compliant interview must be held with the young person and their parent / carer. This should be away from the school premises.
- Where there is sufficient evidence and full admissions have been made, the case will be referred to the local out of court multi-agency disposal panel for an appropriate outcome to be determined e.g. Youth Conditional Caution
- Schools will work with the Council's Inclusion Team to identify any potential alternative pathways that could be provided to support the child/young person.
- Pupil may receive a knife prevention order as part of the caution and if so YOS will deliver knife prevention intervention programme to the young person over a period of 6 weeks, which will not exceed 20 weeks from the date of the incident.
- Where there is a statutory outcome YOS will complete a risk assessment as part of the initial Asset+ assessment, this also applies to a safety and wellbeing assessment. This is a joint education-YOS risk management template. The risk to school and pupil will be reassessed on successful completion of intervention.
- If the Council Inclusion Team and the schools deem a risk is no longer posed the pupil will be reinstated if exclusion has taken place.
- Non-compliance could result in a permanent exclusion.
- Via the schools YOS contact and where an offence has been committed the issue should be reviewed to identify wrap around support that could be offered from the Youth Offending Service, Mental and emotional health service, Inspire Skills Service, and the Drug and Alcohol Service.

4.4 For pupils aged over 16:

- Police will follow national and local guidance and police procedures
- Plan between police and school lead needs to be agreed on whether pupil will be collected by parent or detained by police.

- A PACE compliant interview must be conducted with the child. This should be away from the school and could be at home or in a police station.
- Following completion of a police investigation and where there is sufficient evidence to achieve a successful prosecution, a decision will be made on whether to charge the young person or refer to the local out of court multi-agency panel (national guidance recommends starting point of charge for young people who are 16 or over).
- Following any formal outcome decision, risk assessment and knife crime intervention will form part of the intervention.
- Schools will work with the Inclusion Team in regards to possible Alternative or Supportive Provision.
- Depending on the outcome (Court Order or out of court disposal), YOS will deliver a knife prevention intervention programme to the young person over a period of 6 weeks
- Risk to school and the Council's Inclusion Team and the school on successful completion of the intervention programmes will reassess pupil.
- If risk is no longer posed pupil will be reinstated
- Non-compliance to the Order could result in a permanent exclusion
- Via the schools YOS contact (if known to them or meet the criteria), the issue should be reviewed to identify wrap around support that could be offered from the Youth Offending Service, Emotional Well Being and Mental health Service, Inspire Skills Service, and the Drug and Alcohol Service.

4.5 In exceptional circumstances when Pupils are permanently excluded

- Permanent exclusion should be considered very carefully by schools – evidence around the impact of permanent exclusion clearly identifies a range of associated vulnerabilities. Excluded pupils will be offered a place at the Olive Academy (PRU) where they will be provided with a range of support
- Risk to school and pupil will be reassessed on successful completion of the programme
- If risk is no longer posed pupil will be offered reintegration into an alternative mainstream school. – Via the Fair Access Panel.

4.6 NPCC guidance on youths and knife crime

It has been agreed between NPCC and the CPS that a more serious response is required for youths aged 16 and 17. The starting point is for the police to charge youths aged 16 and 17 unless there are exceptional circumstances. Diversion in accordance with sections 66ZA and 66ZB of the Crime and Disorder Act 1998, the [Ministry of Justice/Youth Justice Board Guidance on Youth Cautions \(April 2013\)](#), the [Ministry of Justice/YJB Youth Out-of-Court-Disposal Guide for Police and Youth Offending Services \(April 2013\)](#) and

ACPO Youth Offender Case Disposal Gravity Factor System (March 2013)

may be appropriate in some cases.

However, it is recommended that police and prosecutors apply the following approach when dealing with knife crime offences allegedly committed by youths:

- The first arrest of a youth of any age for possession of an offensive weapon or sharply pointed blade, with aggravating factors, (circumstances of possession, fear caused, degree of danger) will result in a charge.
- **The first arrest of a youth aged 16 years or over, for simple possession of an offensive weapon or sharply pointed blade, with no aggravating factors will normally result in a charge.**
- The first arrest of a youth aged under 16 years for simple possession of an offensive weapon or sharply pointed blade, with no aggravating factors, will result, in a Youth Caution or a Youth Conditional Caution. This must be supported by an appropriate YOT intervention, preferably with elements focused on anti-knife crime education. For a youth under 16 years, an out of court disposal, which is not a youth caution or a youth conditional caution, should not be used.
- The second arrest of a youth under 16 for simple possession of an offensive weapon or sharply pointed blade will result in a charge (unless, in exceptional circumstances, two years have passed and it is considered appropriate to give another Youth Conditional Caution), whether or not there are aggravating features.
- The offence of threatening a person in public or on school premises will result in a youth aged 16 or over going straight to charge, as this offence carries a minimum sentence of a four month Detention and Training Order and therefore should not be dealt with using an out of court disposal.
- Section 28 of and Schedule 5 to the Criminal Justice and Courts Act 2015 create a minimum custodial sentence for those aged 16 and over convicted of a second or subsequent offence of possession of a knife or offensive weapon, contrary to section 1 of the Prevention of Crime Act 1953 or sections 139 and 139A of the Criminal Justice Act 1988. The minimum custodial sentence for 16 and 17 year olds is at least a four-month detention and training orders.

5. Improving information sharing and Contextual Safeguarding response

- Young people known to YOS, if there are risks identified YOS will share these with the schools.
- Transition risks shared by transferring school – in particular as young people move to college
- MASH remains the first referral point for any safeguarding issues – if NFA, MASH to submit intelligence to community policing team.
- Schools encouraged to map Intel provided by pupils– and ensure that this reported to the police regularly to ascertain any patterns emerging in local communities.
- All schools have a named Community Policing Officer. (NB plan is by Feb 2020 each school will have a named Children & Young Person's Officer)
- Pupil voice – conduct surveys to identify pupils concerns and this will then inform preventative activities.
- Via the schools YOS contact and where an offence has been committed, any issues that are identified will be raised with the gang related violence group to ensure that wrap around support can be offered from the Youth Offending Service, Emotional Well Being and Mental Health Service , Inspire Skills Service, and the Drug and Alcohol Service.

7. Appendices and Links:

- 7.1 www.thurrock.gov.uk/gangs-and-gang-crime/gangs-in-thurrock
- 7.2D for E guidance on searching screening and confiscation
<https://www.gov.uk/government/publications/searching-screening-and-confiscation>
- 7.3 OFSTED Report on young people and knife crime in education
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/785055/Knife_crime_safeguarding_children_and_young_people_110319.pdf
- 7.4 Children's commissioners report:
<https://www.childrenscommissioner.gov.uk/publication/keeping-kids-safe/>
- 7.5 Keeping children safe in education; statutory guidance for schools and colleges
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/811513/DRAFT_Keeping_children_safe_in_education_2019.pdf
- 7.6 Advice for parents: <https://www.nspcc.org.uk/preventing-abuse/keeping-children-safe/staying-safe-away-from-home/gangs-young-people/>
- 7.7 Menu interventions offer – traded services for schools
- 7.8 Intel report – Appendix 1
- 7.9 Flow Chart for Bladed Items Referral Pathway – Appendix 2
- 7.10 Flow Chart Prohibited Items taken into School – Appendix 3
- 7.11 Know the Signs – Appendix 4

8. Contacts

YOS: Jason Read – Youth Offending Team Manager

CPT: Paul Ballard & local CPT Young people officers and CPT teams for each school

Education: Andrea Winstone – Strategic Lead School Effectiveness & SEND

Malcolm W Taylor – Strategic Lead Inclusion / Principal Educational Psychologist

Community Safety Partnership Michelle Cunningham – CSP Manager

Appendix 1 – Intel Report

INTELLIGENCE SUBMISSION FORM

Please send completed forms to:
IntelligenceAIUinbox@essex.pnn.police.uk
If you need assistance with the completion of this form, please contact Essex Police Intelligence unit on 101 extension 489255.

1 - YOUR DETAILS	
Name	
Address	
Agency	
Telephone	

2 – SOURCE DETAILS	
<p>Please provide details of who told you the information (if you are giving information about something you have personally seen, then you are the source). If you don't have full details, please provide whatever you have. Don't show the source as 'anonymous' if you know something about them (even if it's just a first name/ phone number etc). Please be assured that source details will be protected when the report is input on our systems.</p>	
Name	
DOB	
Address	
Phone number	
Other Details	

3 – SOURCE EVALUATION	
<p>Please select the most appropriate box below, using the explanations as a guide.</p>	
<p><input type="checkbox"/> A – Always Reliable This is usually used for information received from technical products such as DNA, fingerprints, etc. Human sources are not considered 'always reliable' due to the potential for 'human error'.</p>	
<p><input type="checkbox"/> B – Mostly Reliable This should be used when your source has provided reliable information in the past, or is someone from a law enforcement or other prosecuting/ partner agency.</p>	
<p><input type="checkbox"/> C – Sometimes Reliable</p>	

This should be used when your source has previously provided information that has sometimes, but not always, been accurate.

D – Unreliable

This should *only* be used if your source has told you incorrect information previously.

E - Untested

This applies to any source who has not previously given you information, and therefore you cannot know whether their information is likely to be reliable or not. This also applies to unknown/ anonymous sources.

4 – INTELLIGENCE/ INFORMATION

Free text – please provide as much detail about the person/ event as possible.
Remember to include dates, times and locations if applicable/ known.

5 – INTELLIGENCE EVALUATION

Please select the box which best described the information you have provided. If unknown, please select 4 – Cannot be Judged.

1 – Known to be true without reservation

2 – Known personally to source, but not to you

3 – Not known personally to source, but corroborated

4 – Cannot be judged (if your source is unknown/ anonymous, you must select this box)

5 – Suspected to be false/ malicious

6 - PROVENANCE

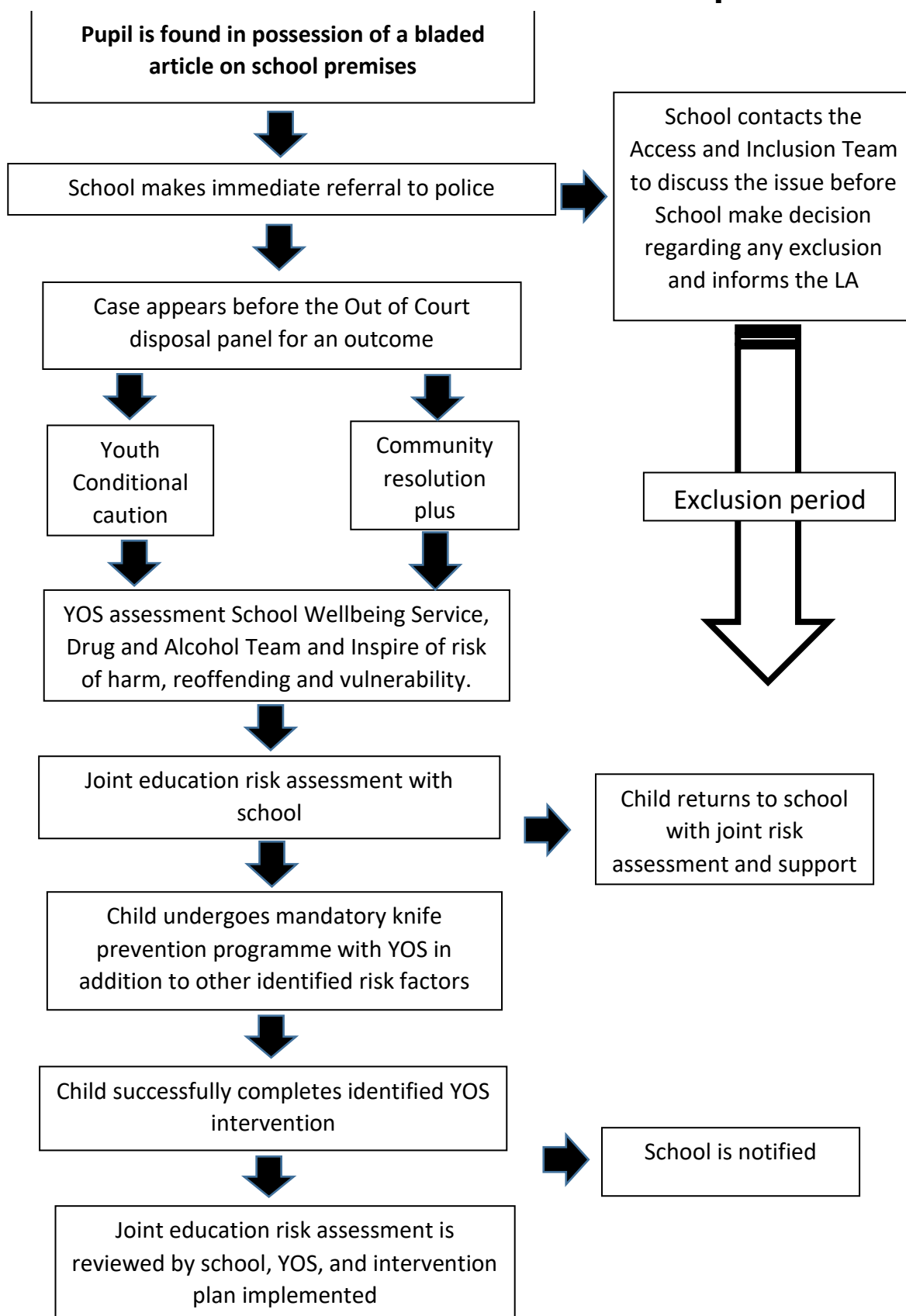
This helps us to understand how sensitive the information is and any impact it may have on the source. It allows us to make an informed decision as to how we handle the information and who it can/ cannot be shared with.

It is also useful for us to know if you have already taken some action regarding the information provided (e.g. have you already reported it to Police Control room/ prison/ social care etc?). This avoids duplication.

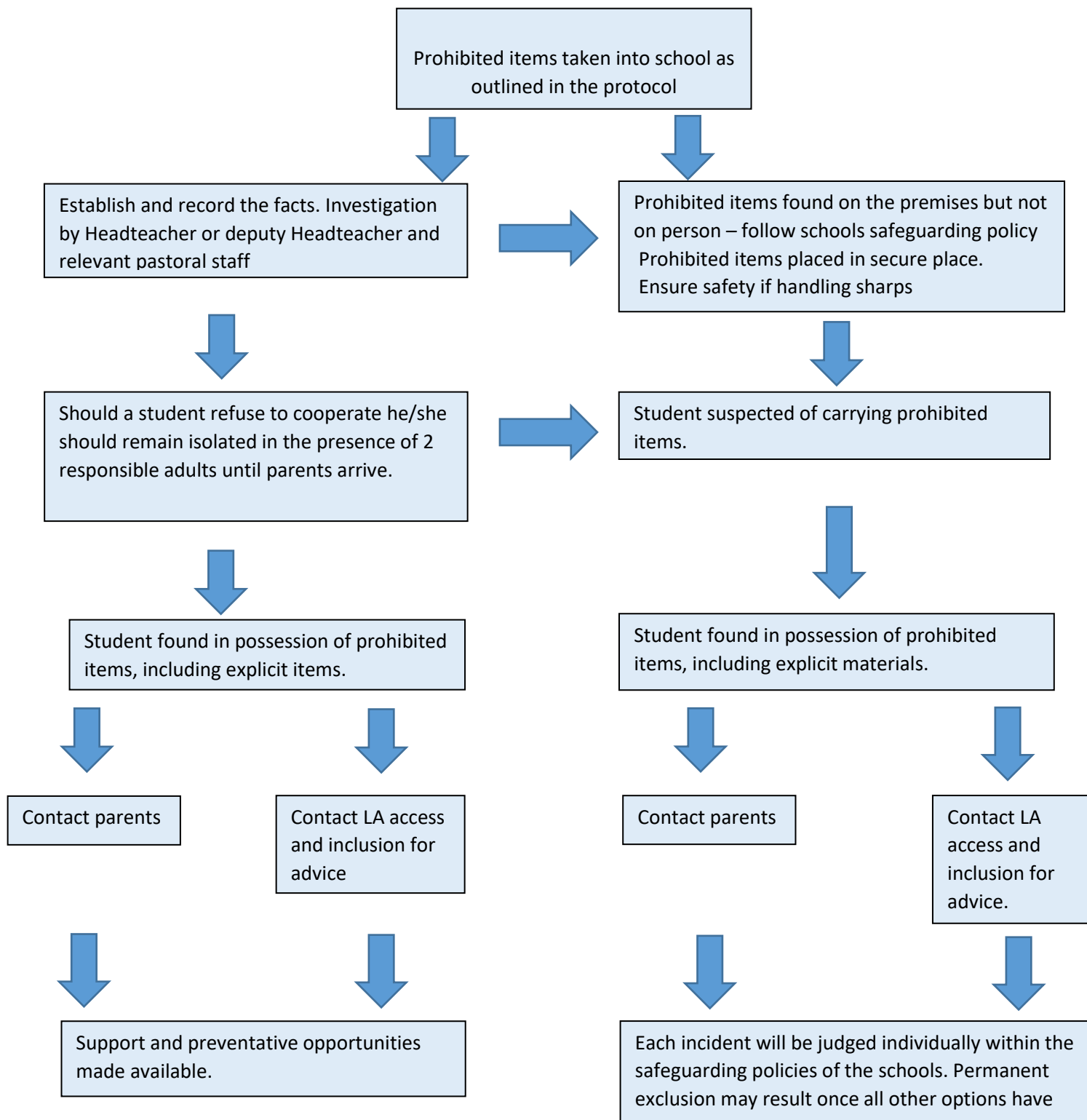
- How does the Source know?
- Who else knows?

- When did the source first know this to be the case?
- When did the source last know this to be the case?
- Will the source be able to provide more information regarding this subject in the future?
- Have you taken any action regarding this information?

Possession of bladed articles on school premises



Appendix 3 – Prohibited Items Taken into School



Know the signs



Persistently going missing from school or home or being found out of area



Unexplained acquisition of money, clothes or mobile phones



Excessive receipt of texts or phone calls



Relationships with controlling, older individuals or gang association



Leaving home or care without explanation



Suspicion of self harm, physical assaults or unexplained injuries



Significant changes in emotional well-being



Significant decline in school performance

Child Criminal Exploitation