

Wales Police Schools Programme
School Crime Beat Protocol



Rhaglen Ysgolion
HEDDLU CYMRU
WALES POLICE
Schools Programme

A Protocol for Police Supporting Schools
with Incidents of Crime & Disorder

A Reference Document for School Staff
Working in Partnership

February 2023

**Heddlu'n diogelu plant Cymru
drwy addysg atal troseddu**



**Police safeguarding the children of Wales
through crime prevention education**

This Protocol outlines the way in which children and young people will be dealt with, when they are involved with incidents that occur within a school premises.

The intention of the Police is to protect and preserve the rights of young people in line with The Welsh Government strategy for Children's Rights and to implement School Crime Beat wherever possible.

This Protocol does not apply to adults, so those adults working in schools can report any instances of criminal activity they experience to the Police in the usual way. They may also seek advice from the School Police Officer (SPO) at any time.

The four Welsh Police Forces have worked with and supported schools in a variety of ways for many years, primarily through classroom involvement and supportive policing. Since the 2019 Review of the **Wales Police Schools Programme** (then the All Wales School Liaison Core Programme) the Welsh Government and the four Police forces in Wales have endorsed their commitment to working with children and young people.

Schools therefore play an important role in Police engagement with children and young people.

This Protocol outlines procedures for dealing with incidents involving young people that occur in schools, to achieve a consistent Police response across Wales. There should be little deviation from the School Crime Beat Protocol when Police Officers are involved in an incident on school premises.

All 4 Welsh Police Forces have agreed the process outlined in this Protocol, with the intention that children will be engaged with in the same way wherever they live in Wales.

There is, however, a large degree of flexibility and discretion as to when or if the head teacher involves the Police. A Head teacher may decide not to involve our SPOs should s/he wish to. This document clearly outlines the boundaries in which Police Officers should operate and makes recommendations to help schools.

This document considers the comprehensive advice that Welsh schools have been given by Welsh Government. It fully supports the advice given in:

Substance Misuse: Children and Young People

[substance-misuse-delivery-plan-2019-to-2022.pdf \(gov.wales\)](#)

Inclusion and Pupil Support

<http://gov.wales/topics/educationandskills/schoolshome/pupilsupport/inclusionpupilsupportguidance>

Respecting Others: Anti-Bullying Guidance

<http://gov.wales/topics/educationandskills/publications/circulars/antibullying> Respect and

Resilience: Developing Community Cohesion

<http://gov.wales/topics/educationandskills/publications/guidance/respect-and-resilience-2015>

Exclusion from Schools and Pupil Referral Units

[Exclusion from schools and pupil referral units \(PRU\) | GOV.WALES](#)

Keeping Learners Safe

[Keeping Learners Safe \(gov.wales\)](#)

Abolition of defence against punishment

[Children \(Abolition of Defence of Reasonable Punishment\) \(Wales\) Act 2020: circular | GOV.WALES](#)

This document outlines what to expect when Police are involved at incidents in schools and ensures that there is a continued positive working relationship between the Police and schools, based on improved knowledge, mutual trust and understanding. It is supported by the Welsh Government publication **Guidelines for Schools and School Community Police Officers Working Together: School Behaviour Incident Management.**

<https://schoolbeat.cymru/uploads/media/>

[Guidelines_-_School_Behaviour_Incident_Management.pdf](#)

At all times the Police will have children and young people's interests at the forefront of their considerations and will work hand in hand with the school's wishes and policies wherever possible.

When referring to this document head teachers should have regard to any local guidance in place offered by their local authority and/or the local Substance Misuse Action Team. They should also have regard to any policies adopted by the school's Governing Body.

This Protocol has been agreed and adopted by the four Welsh Police Forces and the Directors of Education nationally.

Contents

1	Police Roles and Responsibilities	5
2	Police Response to Incidents in Schools.....	7
3	Formal Recording and the Investigation of Crimes on School Premises.....	8
4	Substance Misuse Incidents	14
5	The Violent Crime Reduction Act 2006.....	17
6	Confidentiality	19
	Appendix A – Suggested Procedures for Substance Misuse Incidents.....	20
	Appendix B – Examples involving confidentiality.....	22
	Appendix C – Home Office Crime Recording (Schools' Protocol)	23

1 Police Roles and Responsibilities

Within communities, Police Officers undertake several different roles to provide an effective policing service for schools.

Below is a list of the main types of officer that schools are likely to have contact with:

Schools Police Officers (SPOs): These Officers are dedicated to deliver WPSP lessons and provide supportive policing services in schools. They are deployed to ensure that a uniform, structured and professional programme is delivered to all children and young people in Wales. Each Officer is responsible for up to four secondary schools and their respective partner primary schools in any one area.

The Officers are required to be fully involved with the day-to-day life of the schools and assist with problems that require Police attention or advice. They will need to fully understand school policies and procedures and will endeavour to work within their boundaries.

The *Guidelines for Schools and School Community Police Officers Working Together: School Behaviour and Incident Management* document (See <https://schoolbeat.cymru/en/teachers>) gives detailed information about when and how the SPO can be best utilised in schools.

Neighbourhood Policing Teams comprising of PCSOs (Police Community Support Officers) and Neighbourhood Policing PCs and a Neighbourhood Policing Sergeant: These Officers are responsible for policing their identified neighbourhoods and communities, problem solving and targeting their activity to the needs of that community. An officer should be familiar to the school if it falls within their 'beat'. The Neighbourhood policing team will liaise closely with the relevant SPO and provide a link to the community at large. They will provide a problem-orientated policing approach to the needs of the community and work closely with other key partners within that community.

Response Officers: These Officers will respond to emergency and non-emergency calls when they are received. If one of these Officers responds to an incident in the school, then they will carry out the required course of action dependent on the incident. They will liaise with the school and the Neighbourhood Policing Team to agree on how the incident will be finalised.

Specialist Child Abuse Investigation Officers or Detective Constables

If a Police officer receives any information that a child or vulnerable person is at risk of harm, and this information has not already been shared with social services by the school, they must submit a Multi-Agency Referral Form (MARF) or Public Protection Notice (PPN). This is to comply with a statutory duty under Section 130 of the Social Services and Wellbeing Wales Act 2014. This can include where a child has seen, heard or otherwise experienced the effects of domestic abuse.

When a child protection concern is raised, Police will work in partnership with other agencies, such as social services and health. Any MARF/PPN submitted by Police or other agency will be triaged by specialist risk assessors. They will process the form to ensure the necessary course of action to protect the child or vulnerable person. This could be sharing the information with other agencies for example or deciding to jointly investigate any criminal allegations with children's services under section 47 of the Children's Act 1989.

These investigations will be conducted by Specialist Child Abuse Investigation Officers within Criminal Investigation Department (CID). They will normally need to speak to the child jointly with a social worker, and these visits will often take place at the school. If the alleged perpetrator is a parent or carer, these visits may take place without their awareness. The investigating officer may also need information from the school in relation to the child as part of their enquiries.

When Officers attend a domestic abuse incident, they fill in a Domestic Abuse, Stalking and Harassment Risk Identification Checklist (DASH). If there are children present at the address, or normally resident with the parties involved in the incident, Officers will note their details on the DASH. As soon as these are submitted, a notification of the domestic incident is sent to the local education authority under 'Op Encompass', and basic details are passed on to the child's school so that they can provide the necessary support. The Domestic Abuse Act 2021 recognises the devastating impact that domestic abuse can have on children who experience its effects in their own home, and it is important to recognise this.

Other Specialist Police Roles: In addition to the above roles, each of the four Welsh Police Forces will have several specialist departments which may come in to contact with a school depending on the circumstances of an incident. A good example of this would be issues such as hate crime, which can have far-reaching consequences involving complex issues. Specialist Police departments would be able to provide expert advice and support around such issues and have strong links with minority communities and other key agencies.

Schools are encouraged to openly discuss and seek advice from their dedicated SPO. SPOs will have a good knowledge of and be able to provide a direct link to other specialist Police departments where necessary.

2 Police Response to Incidents in Schools

- Liaise with the head teacher or nominated person.
- Not formally record and investigate a crime on school premises unless the school, victim, or parent / carer request it. However, Police Officers must report and record serious offences that are listed In the Home Office Counting Rules 'serious crimes' list. [Home Office Counting Rules for Recorded Crime \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)
- **The arrest of a child or young person will always be the last resort and when no other viable option is available.**
- Use restorative justice approaches and Youth Restorative Disposals (YRD) if appropriate
- Inform the School's Police Officer by email (more serious offences will **not** be investigated by the SPO)

If the incident is not of an urgent nature, but Police are required to attend, then schools should report the incident via the **101** service or directly to their Schools Police Officer.

In the case of non-emergencies, or if there is a need to request advice, schools may wish to contact the SPO. The SPO will provide advice, deal with the matter or arrange other Police attendance if necessary.

The definition of a crime is:

A crime is committed if a person fails to act in accordance with the Law

When deciding whether to contact the Police regarding an incident on school premises, the severity of the incident needs to be considered. Therefore, the seriousness of an incident can be determined by considering the answers to the following questions. If the head teacher considers the answer is YES to any of the questions below and considers the incident to be an emergency, then **call 999** to obtain an immediate Police presence.

- Is there any serious immediate danger present?
- Has serious injury occurred or is there a clear potential for serious injury?
- Is a crime in progress or imminent?
- Is a suspect present?
- Will a witness be lost if Police do not arrive quickly?
- Is there clear potential for a further crime to be committed?
- Is a victim of crime suffering from extreme distress?

Schools act *in loco parentis* when learners are at school or involved in school-led activities, and may wish to deal with some incidents internally, rather than involve the Police. In these cases, the school is still asked to inform the SPO of the details for information purposes. The SPO may also be able to contribute by providing other information, which may impact on the school's decision. All crimes will be recorded by SPO's in line with the standards set out within this Protocol.

Not reporting a crime and thereby not identifying the offender, if known or suspected, may subsequently prove to be counter-productive for a school and the wider community.

Schools should never be concerned about contacting their SPO for advice – this is part of their role.

3 Formal Recording and the Investigation of Crimes on School Premises

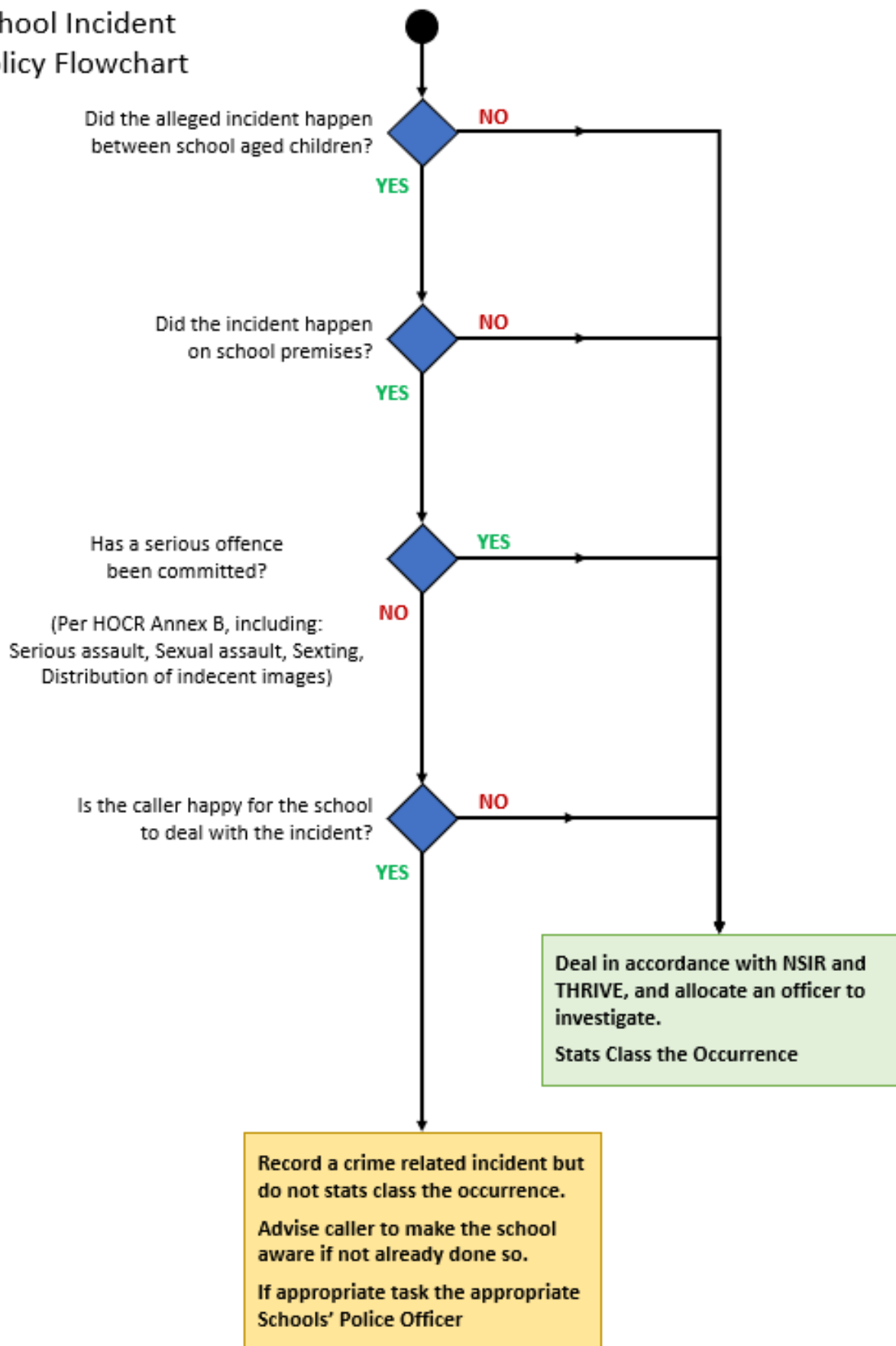
The Inclusion and Pupil Support document (2016) [guidance-inclusion-and-pupil-support_0.pdf \(gov.wales\)](#) provides a framework for inclusion, containing guidance for schools and local authorities (LAs). It requires schools to maintain high levels of attendance and positive behaviour, and to support learners with additional learning needs. Schools seek to avoid pupils becoming disengaged with education. It endorses the principle of inclusive education as enrolment of all children in mainstream schools unless there are compelling reasons for doing otherwise. Head teachers and other school staff have responsibility to deal with and record incidents involving children and young people on a school site in the first instance though it may be later decided that some cases amount to criminal conduct. If this is in fact the case, schools should inform the Police of the incident.

When 'exceptional circumstances' occur which lead to permanent exclusion as defined in: Part 1 of Welsh Government guidance 2019: Exclusion from Schools and Pupil Referral Units [Exclusion from schools and pupil referral units \(gov.wales\)](#) there would be a high expectation from the Police that they would be informed and involved.

The Association of Chief Police Officers, the Department for Education (DfE) in England and the Home Office have developed joint guidance to address concerns over the formal recording of crime by Police Officers on school premises. (Although the DfE have no powers in Wales, crime recording standards for both England and Wales are governed by the Home Office and as such this agreement applies for Wales.) The Home Office National Crime Recording Sub-Group (NCRS) has agreed the following.

Schools are under no legal obligation to report crimes to the Police. When Police Officers who work in or attend school premises, witness or have a crime reported to them, which took place on the school premises, the following will apply:

School Incident Policy Flowchart



- A crime should not be recorded initially, but the incidents should be brought to the attention of the head teacher as soon as practicable. The Police will follow the parents' and school's wishes and work within school policy.
- The Police Officer will not formally record and investigate any incident in a school as a crime, unless requested to do so by the parents or carers, **or where it is so serious as to be necessary (see below)**. If this does become necessary, a formal crime record will be created.
- In all cases the Police will attempt to reach a mutual agreement with the school.
 - If an incident that occurred inside school, during the school hours, is reported to the Police by parents, out-of-school hours, then the incident should be dealt with in accordance with this School Crime Beat Protocol, and the school must be informed of the outcome.

When are the Police duty bound to formally record and investigate an incident on school premises?

If any of the following criteria applies Officers must formally record and investigate an incident:

- The officer judges it to be a serious incident as defined below:

A serious incident is one which has led or is intended to or is likely to or threatened to lead to serious harm or loss to any school child according to the view of the Police officer, child or young person, parent or guardian or the child's representative.

[Home Office Counting Rules for Recorded Crime \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

- When the parents/carers are not happy for the school to deal with the incident.

Questioning of children and young people and formal Police investigations

Where there is a duty for Police to **interview** children or young people, then a parent/carer or other interview supporter will need to be involved. Sometimes, Police will contact a registered intermediary to assist with communication if they feel this is necessary to enable the child to understand the questions.'

When a school believes that a formal Police investigation may be necessary, then the questioning of young witnesses and possible offenders by school staff should be kept to

a minimum. It should be enough only to establish the basic facts. Any further questioning could affect evidence and hamper a Police investigation (this can be further explained by the SPO if necessary).

Any questioning or interviewing of children and young people by the school should be recorded in writing and corroborated by another member of staff.

Where an allegation of child protection has been disclosed to a member of school staff, school safeguarding Policies must be implemented and local child protection procedures must be followed. [Keeping Learners Safe \(gov.wales\)](https://www.gov.wales/government/departments/department-for-education/keeping-learners-safe) 2021 and [Social care Wales \(safeguarding.wales\)](https://www.gov.wales/government/departments/department-for-education/social-care-wales/safeguarding-wales)

The SPO is available for schools to contact for advice. A Multi Agency Referral Form should be completed for any safeguarding concerns by the school or the SPO.

In addition, the following apply to incidents of substance misuse

- Possession of certain controlled substances such as – Cannabis, Ecstasy, Heroin, LSD, Cocaine, Crack Cocaine, etc. will always be regarded as 'serious' and recorded as a crime.
- An incident will always be deemed serious and recorded as a crime if the controlled substance has been or was intended to be supplied to any other person whether for gain or not.

Points to consider

If the incident meets any of the criteria above, it must be classified as a crime and investigated. If, however, the incident does not fall under the above criteria the following points should be considered:

- Any safeguarding concerns
- Wishes of the victim (and parent/carer where appropriate)
- Wishes of the school
- Aggravating features - for example racial or homophobic bullying
- Severity of any injury sustained/nature of threat received by the victim
- Level/value of damage caused (It is impossible to quantify boundaries on the level of damage as this is subjective for each victim/complainant)
- Probability of a repeat incident
- Previous relationship between victim and offender
- Potential impact on the child/young person following formal Police involvement
- Effectiveness of Police action/court proceedings
- Future best interests of both parties
- Message sent to other children or young people
- Availability of alternative courses of action; examples might include restorative approaches, with the consent of the victim (see below), or the use of Acceptable Behaviour Contracts (a Home Office procedure used to deal with anti-social behaviour) etc.

Restorative Approaches

As a preventative measure, a restorative approach is focused upon reducing the number of young people entering the criminal justice system. With restorative approaches the whole school community and parents may be involved.

Police are determined to apply the principles of Child Centred Policing, [CYP \(npcc.police.uk\)](https://www.npcc.police.uk) putting the rights of the child as central in any dealings with children and young people. Restorative approaches in school settings view misbehaviour not just as school rule breaking but also as an opportunity to improve relationships in the school. Schools' Officers have been trained and are available to facilitate or support the restorative approach in school settings, when requested.

It is advised that each Police Force links in with their Force Crime Registrar for guidance on Outcomes that can be applied to crimes involving children to ensure consistency.

Youth Justice System:

There are several formal disposals for young persons within the Youth Justice System. All the below can and are generally accompanied with assessment, support and diversionary activity:

- Youth Restorative Disposal (Not a criminal conviction)
The focus is to make good the harm caused and can involve direct or indirect reparation.
- Youth Caution
The Youth Caution is a formal out-of-court disposal
Participation in the diversionary intervention is voluntary and there is no separate penalty for failing to comply.
- Youth Conditional Caution
The Youth Conditional Caution is a formal out-of-court disposal. Assessment and diversionary intervention are compulsory.
The young person must also agree to accept the Youth Conditional Caution and any conditions attached.
Noncompliance of the diversionary or intervention programme results in the young person being arrested.
- Prosecution
The young person is charged to court or reported for summons.

4 Substance Misuse Incidents

The misuse of controlled drugs within a school is a serious issue and it is essential that the response is prompt and effective. In responding to incidents schools will be guided by:

[CYP \(npcc.police.uk\)](https://www.npcc.police.uk) The principles of Child Centred Policing

The four Police forces fully support the advice and guidance contained in these documents. Additional recommendations and agreed working practices between the Welsh Police Forces and schools, regarding incidents of substance misuse also need to be considered. Advice states that schools should liaise closely with their local Police force to ensure that there is an agreed local policy for dealing with the range of illegal drug incidents, which might arise. The SPO will provide that link.

It is the responsibility of head teachers (as opposed to the Police) to decide whether to inform the LA of illegal drug incidents occurring within schools and whether to inform parents/carers and governors of substance misuse incidents. Although there is no statutory requirement to inform the Police, the Home Office would expect the Police to be informed when illegal drugs are found on a learner or on school premises. Drug possession including Cannabis is on the Home Office list of serious offences which would require police to deal with and record. Each police force asks that schools report all such incidents in line with established LA guidelines, even when schools intend to deal with the incident internally.

A multi-agency approach is needed, if strategies are to be successful, both in proactive (educational) as well as reactive (in response to specific incidents) terms.

Ideally, schools will already have a sound working relationship with the SPO based on trust, where both parties can be fully informed and involved in making the right decisions for all involved. The wishes of the school and its internal policies will always be taken into consideration and respected when a decision is being made regarding any future course of action.

The Three Tier Response

There are three main levels of response that the Police can provide when responding to incidents of substance misuse:

1. Collection and administration of any suspected substances
2. A partnership investigation
3. A formal Police investigation

1. Collection and Administration

Best practice suggests that suspected illegal substances, should wherever possible, be disposed of by the Police, who have clear policies and procedures for this purpose (Please see Appendix A for procedural guidelines). Prescription drugs can be returned to a pharmacy.

2. A Partnership Investigation

It is recommended that where either a suspected illegal substance has been found that can be connected to an individual or where the school believes someone is in possession of an illegal substance that the following apply:

- If staff have recovered the substance, then carry out the actions in point 1. above (Collection and Administration), regarding storage and collection by Police etc.
- Authorised named staff in the school have the authority to search, but if the Police are required, then schools should contact 101 the non-emergency police number. If staff suspect an individual is still in possession of a substance and refuses to co-operate, schools may need the Police to assist with a search. Named staff at the school have the authority to search, but if the Police are required, then schools should contact 101 the non-emergency Police number. The relevant SPO will be informed and updated as soon as possible.

When the Police are contacted, a decision needs to be made on how to deal with the incident. The SPO is there to assist and give advice. (It is to be noted that, drug possession including Cannabis is on the list of serious offences which would require police to deal with and record). Where the school and the Police decide that an incident may be dealt with internally by the school, then both parties need to consider alternative action and support for an individual e.g., pastoral support programmes, restorative approaches etc.

Police Investigation

This should be undertaken, preferably with the co-operation of the school. It is possible that Officers other than the SPO will carry out any formal investigation and be responsible for informing the school of available information e.g., as referred to in: 'Exclusion from Schools and Pupil Referral Units' (Part 5). [Exclusion from schools and pupil referral units \(gov.wales\)](https://www.gov.wales) However, the SPO will remain a contact point throughout the investigation, also able to advise and update the school about this process.

Searching Learners for Drugs or Stolen Articles

Without consent, authorised school staff can only carry out personal searches of learners, their clothing or their personal property in relation to searching for weapons and if they have reasonable suspicion that a weapon is being carried (they may however ask learners to turn out pockets, empty bags etc.). If efforts to persuade a learner to hand over a suspected illegal substance, stolen property etc. have failed, and the school wishes to proceed on formal lines, then the Police should be called to undertake the search. Schools may not detain a person without their consent for the purpose of a search for drugs or stolen goods. Police Officers however, may undertake limited personal searches on school premises or detain those suspected for the purposes of doing so.

School property, e.g., lockers or desks; may be searched by school staff, although prior permission should be sought. Schools will need to balance the likelihood that an offence has been committed against the risk of infringing the individual's privacy without just cause.

Please Note: Where no arrest has taken place, a Police officer may search individual children, where reasonable suspicion exists, for drugs or stolen property. In order to search personal school lockers, the permission of the Head teacher or an authorised person must be obtained. If consent is withheld, an officer may apply to a Magistrates' Court for a search warrant to enter the school and conduct the search.

Searching or Screening Learners for Weapons

It is a criminal offence to carry a weapon in school. The Violent Crime Reduction Act 2006, (October 2010) provides the power, not duty, for head teachers and authorised trained staff to:

- Search learners suspected of carrying a weapon without consent or alternatively call the Police. Suspicion must be supported by intelligence or information. Searches can only be carried out in the presence of two staff members of the same sex as the learner. Staff can remove outer clothing and search pockets, but more intimate searches will require Police attendance.
- Schools can screen without suspicion any learner for a knife or other weapon to safeguard learners as part of their general behaviour policy. Screening is defined as a walk-through arch or hand-held metal detector (arch or wand) i.e., no contact or low contact (not patting down).

IN ALL CASES

If the Head Teacher or authorised person considers the answer as YES to any of the questions below then **call 999** to obtain an immediate Police presence

- Does the member of staff believe themselves or any other person to be at risk?
- Are two same sex (as the learner) staff members unavailable to undertake the search?
- Has the learner fled the scene to resist the search?

Separate guidance for schools and local authorities on searching and screening learners for weapons is available on the Welsh Government's website. [Title of Document: \(gov.wales\)](#)

The Use of Reasonable Force

Although it is legally permissible for school staff to use reasonable force, it is advisable that when a learner is suspected of carrying a weapon and is likely to physically resist, the school staff should call the Police rather than using force to continue a search.

If an illegal knife or other weapon is seized from a learner the weapon must be handed over to the Police and a crime recorded.

Note: A weapon is defined as any article made or adapted to injure a person, or any article which is intended by the person for causing injury to another. This could include a knife, which is defined as any article that has a blade that is sharply pointed. This does not include a folded pocket-knife unless the blade exceeds 3 inches or is not readily folded at all times.

Guidance for schools and local authorities on physical intervention and the use of reasonable force is available on the Welsh Government's website.

[Title of Document: \(gov.wales\)](#)

6 Confidentiality

When SPOs are contributing to lessons in schools, there will be obvious learning benefits from learners sharing their experiences, feelings and views, in a safe learning environment.

Learners will not actively be encouraged to disclose information and intelligence on local crime by Police Officers delivering lessons to schools. However, there may be occasions, when, because of the nature of the subject being discussed, learners disclose certain information.

When these circumstances occur, confidentiality will be maintained wherever possible, within the classroom. However, it must be understood that due to the nature of their responsibilities there may be times when the Police officer will have no choice but to take further action on information disclosed. In particular, when:

- Criminal offences are disclosed.
- Someone is in danger or at risk of personal harm.

In all cases such disclosures will be brought to the attention of the Designated Safeguarding Lead (DSL) or Head teacher. Both the school and or the Police, will make the necessary disclosures to the appropriate authorities and partners through the submission of a Multi-Agency Referral Form (MARF).

Where disclosed incidents have occurred away from school premises and further action must be taken, the head teacher will be notified of the disclosure. Any further investigation by the Police will take place as necessary. Where appropriate, the school will be jointly involved in this process.

The Police Forces will not issue press releases regarding seizures of drugs on school premises, except in cases of concern for public safety or where investigation into serious offences may otherwise be jeopardised. Prior to any press release, a joint media response would be agreed by both the school and the Police.

Appendix A – Suggested Procedures for Substance Misuse Incidents

In conjunction with the SPO, it needs to be considered whether the school policy complies with the following to ensure that an offence of possession or supply is not being committed.

Drugs / Alcohol / Solvents found on school premises

Where a suspected substance is found or recovered within the confines of a school, the Police recommend the following:

- ❑ If someone is in possible danger or is likely to be at risk of harm - call 999.
- ❑ Ensure that the seizure is witnessed in corroboration with another member of staff.
- ❑ Store it in a suitable location pending Police arrival.
- ❑ Record all details of the incident, misuse or seizure.
- ❑ Contact the SPO for advice.
- ❑ Contact 101 to arrange Police attendance and to make arrangements for disposal.
- ❑ Staff should not attempt to analyse or taste any unidentified substance.

Teacher suspects a pupil of being under the influence of

Drugs / Alcohol / Solvents

- ❑ Seek medical advice if necessary. It is important to know what the substance is if medical treatment is necessary.
- ❑ Is the learner legally entitled to be in possession of the drug / substance?
- ❑ Is the drug / substance suspected to be illegal and / or in breach of school discipline code? If so, Police advice should be sought, if necessary.
- ❑ Take possession and store securely.
- ❑ A search may be required. Staff members are permitted to search students' desks or lockers, belonging to the school, on suspicion of possession of illegal drugs (although prior permission should be sought). Staff should not physically search a learner or their personal belongings.
Staff may however ask the learner to turn out their pockets or bags. If consent is refused, then the only option is for staff to call the Police to carry out the search. Any forced search by staff could be interpreted as an assault. The Police have powers of search relating to persons and premises and will be able to assist.
- ❑ Consider a Child Exploitation referral.
- ❑ Complete a safeguarding referral via a Multi Agency Referral Form (MARF).

A teacher has information that an offence or supply or sale of Alcohol / Cigarettes / Solvents / Illegal substances is taking place in the local area

In addition to the school policy, it is recommended that:

- The school should inform the SPO so that action can be taken to protect the children and young people in the vicinity of the school and to identify trends. In the case of suspected substance misuse, this should be done at the earliest available opportunity.

A learner discloses that:

- **he or she is using Drugs / Alcohol / Solvents**
- **parents / carers / relatives are misusing / selling Drugs / Alcohol / Solvents**
- **friends are misusing / selling Drugs / Alcohol / Solvents**

- Refer to the school policy.

- Contact the school SPO for guidance, advice or support. It should be remembered that total confidentiality might not be possible.

- Once a decision has been reached in consultation with the SPO, the course of action open to you has previously been outlined.

Appendix B – Examples involving confidentiality

The following are examples of procedures conducted by an SPO. It is important to remember that the officer clearly explains the classroom agreement which covers the issue of confidentiality at the commencement of every lesson.

During a lesson about theft, a youth discloses that his parents have a TV at home which they know to be stolen.

- The Officer would be duty bound to investigate this matter further.

During a lesson about theft, several pupils disclose that they have stolen things in the past.

- This information would probably remain within the classroom and be discussed accordingly depending on the value of the property and the time lapse since the occurrence. However, if the disclosure were of relevance to an ongoing investigation into a recorded crime, then the Officer might have to take further action.

During a lesson on substance misuse, a youth discloses that they have previously tried an illegal substance such as Cannabis.

- If there are no current safeguarding issues the Officer will look to honour confidentiality and the disclosure may be useful to class learning.

During a lesson on substance misuse, a youth names an individual who is supplying a controlled drug.

- The Officer would be duty bound to take further action on this information.

Serious incidents referred to within the 'Crime Recording by Police Officers Working in Schools' guidance are defined as:

(a) All Indictable Only offences.

(b) All offences within Home Office Crime Recording (HOCR) classifications;

- a. 5D (Assault with Intent to Cause Serious Harm),
- b. 10B (Possession of Firearms),
- c. 10C (Possession of other Weapons),
- d. 10D (Possession of Article with Blade or Point).
- e. 11A (Cruelty to Children),
- f. 13 (Child Abduction),
- g. 23 (Incest),
- h. 36 (Kidnapping),
- i. 70 (Sexual Activity with a Person with a Mental Disorder),
- j. 71 (Abuse of Children through Sexual Exploitation),
- k. 86 (Obscene Publications),
- l. 88A (Sexual Grooming),
- m. 92A (Trafficking in Controlled Drugs),
- n. 92D (Possession of Controlled Drugs),
- o. 92E (Possession of Cannabis),
- p. 106 (Modern Slavery),

(c) All sexual assaults.

Any other offence is serious only if its commission has led to any of the consequences set out below, or is intended to lead to any of those consequences:

- (a) serious harm to the security of the State or to public order;
- (b) serious interference with the administration of justice or with the investigation of offences or of a particular offence;
- (c) the death of any person;
- (d) serious injury to any person;
- (e) substantial financial gain to any person; and
- (f) serious financial loss to any person.

If any other offence consists of making a threat, it is 'serious' if the consequences of carrying out the threat would be likely to lead to one of the consequences set out above at (a) to (f).

The term 'injury' includes any disease and any impairment of a person's physical or mental condition.

Financial loss is 'serious' for the purpose of the section if, having regard to all the circumstances, it is serious for the person who suffers it. Whether or not a loss, actual or intended, is serious will depend partly on the victim's circumstances.