

**ITEM No ...2.....**

**REPORT TO:** CHILDREN AND FAMILIES SERVICES COMMITTEE – 27 MARCH 2017

**REPORT ON:** RESPONDING TO YOUNG PEOPLE DISCOVERED TO BE IN POSSESSION OF A KNIFE IN SCHOOL

**REPORT BY:** EXECUTIVE DIRECTOR OF CHILDREN AND FAMILIES SERVICE

**REPORT NO:** 110-2017

**1.0 PURPOSE OF REPORT**

- 1.1 The purpose of this report is to outline any implications for Dundee City Council based on the findings of the recent enquiry carried out by Aberdeen City Council on the tragic death of the school pupil Bailey Gwynne.

**2.0 RECOMMENDATIONS**

- 2.1 Committee members are asked to note the contents of the report.

**3.0 FINANCIAL IMPLICATIONS**

- 3.1 None.

**4.0 MAIN TEXT**

- 4.1 The tragic events that led to the death of school pupil Bailey Gwynne in Aberdeen illustrate how the introduction of a knife can change a minor altercation into an incident that ends lives and shatters others. Dundee City Council has considered the implications of the report completed by Andrew Lowe and considered the review recommendations relating to carrying weapons in school and bullying. These recommendations are included as Appendix 1.
- 4.2 A Short Life Group consisting of officers from Children and Families Service and Police Scotland examined the recommendations in detail and the level of knife carrying that had been reported in Dundee schools from school session 2010/11 to the present.
- 4.3 An analysis of local statistics carried out to inform this review did not reveal a high prevalence of knife carrying by young people in Dundee. From 2011 to 2016, 19 incidents of a knife found in school were detected. Two of these were described as a “palette knife” taken from an art lesson and probably should not be counted in the same category as sharper knives brought into school from outside.

The breakdown over the sessions is listed below. This table contains all data available up until 1 March 2017.

<b>School Session</b>	<b>Number of Incidents Detected by Schools</b>
2010/11	2
2011/12	1
2012/13	2
2013/14	2
2014/15	4
2015/16	4
2016/17	4

- 4.4 Although the number of detected incidents is very low even a single incident is a cause for concern and presents a potential danger to young people and staff. In dealing with incidents involving knives, schools work closely with Police Scotland to determine the necessary action to be taken.
- 4.5 As a result of the review of the Aberdeen recommendations the following areas were agreed for action;
- a review of the Children and Families Critical Incident Guidelines for School Communities to determine they continued to be fit for purpose;
  - the creation of new Multi-Agency Guidelines that clarify how schools and services would deal with incidents where knives were detected and the implications for Team Around the Child framework. (These Guidelines are included as Appendix 2);
  - review of the Council's Anti Bullying Guidelines to ensure that they continue to be fit for purpose; and
  - commencing collaborative work between Dundee secondary schools and Police Scotland Youth Volunteers to introduce through peer education the Scottish Government 'No Knives Better Lives' programme.
- 4.6 The Children and Families Critical Incident Guidelines for School Communities was already in the process of being updated and the short life working group determined that the guidelines were inclusive and covered any implications arising from the Bailey Gwynne report.
- 4.7 The multi-agency guidelines that were created by the short life working group was submitted to Dundee Childcare and Protection Committee for consultation and positive feedback was received along with some suggestions which were incorporated into the final guidelines.
- 4.8 A meeting took place on Monday 23 January 2017 with Police Scotland to finalise and agree the 'No Knives Better Lives' implementation. A critical part of the Bailey Gwynne report findings was the importance of young people having the confidence and courage to speak to an appropriate adult when they became aware of pupils carrying knives. This element features strongly in the Scottish Government 'No Knives Better Lives' programme. The proposed programme for Dundee schools will target S1 and S2 initially.

Early meetings have taken place to look additionally at the implementation of the Mentors in Violence Programme (MVP). MVP is a peer education programme for secondary schools which explores healthy/unhealthy relationships, gender-based violence and bullying behaviour. Following a successful pilot, Scottish Government provided additional funding which seeks to support the roll out across all local authorities in Scotland.

- 4.9 It has been agreed to ask the Guidance Teacher network to review the current Bullying Guidelines.

**5.0 POLICY IMPLICATIONS**

This report has been screened for any policy implications in relation to Sustainability, Strategic Environmental Assessment, Anti-poverty, Equality Impact Assessment and Risk Management. An Equality Impact Assessment is attached to this report.

**6.0 CONSULTATIONS**

The Chief Executive, Executive Director of Corporate Services and Head of Democratic and Legal Services have been consulted in preparation of this report.

**7.0 BACKGROUND PAPERS**

- 7.1 None.

MICHAEL WOOD  
Executive Director of Children and Families Service  
March 2017



### Recommendations from Bailey Gwynne Report on Weapons and Bullying

Aberdeen Recommendation	Dundee City Council Response
<b>Weapons</b>	
1. All parents should receive a letter from school at the beginning of Year S1 each year. The letter will set out the school rules and the expectations of the school with regard to weapons. The letter will be signed and returned to school.	<b>It was not assessed as necessary to send such a letter to all parents in Dundee as this may create the impression that there is a significant issue of knives in Dundee schools, when there is no evidence for this.</b>
2. Pupil forums and pupil councils to be encouraged to develop safe processes to enable pupils to share their knowledge of weapons with teaching staff.	<b>Along with Police Scotland we will roll out “No Knives Better Lives” awareness sessions. We would also welcome Pupil councils discussing the issue and welcome their comments.</b>
3. Police Scotland shall be notified of each and every incident of weapons possession of which the school become aware.	<b>Guidance to all education staff has been updated to state this.</b>
4. Every incident will be recorded by the school immediately following an allegation or an incident and notified to Senior Managers.	<b>Also included in the new guidance.</b>
5. Aberdeen City Council work should work with Police Scotland to establish a clear and effective policy on management of offensive weapons in school with partners.	<b>The Dundee working group on this subject included Police Scotland. The group was satisfied that existing communication arrangements were in place and the response arrangements have been updated in the new guidance</b>
6. In accordance with the law of Scotland searches must be made with pupil's consent. The Head Teacher or her nominee should undertake searches of pupils where consent is given. Where no consent is forthcoming, the police should be notified if there are grounds to suggest that the child or young person is carrying a knife or other offensive weapon.	<b>The issue of contacting Police Scotland if a pupil refuses a consensual search, where there are grounds to suggest the pupil is carrying an offensive weapon, is contained in the new guidance to staff.</b>
7. A specific search and confiscation protocol should be developed by Aberdeen City Council supported by Police Scotland as part of their weapons/knife crime strategy currently under development.	<b>It is the understanding of Dundee City Council that the Scottish Government will issue updated guidance in Spring 2017. In the meantime, staff are aware of the responsibility to initiate consensual searches, where there are grounds to do so.</b>
8. Individual risk assessments should be completed on all individuals known or suspected to carry offensive weapons.	<b>The update guidance states that a multiagency meeting (most commonly a Team around the Child meeting) should be held in all cases where a child is reported</b>

	<b>to have carried a knife (in or out of school). This is to share relevant information and form a multiagency assessment of risk.</b>
9. Aberdeen City Council to work jointly with Police Scotland to develop and deliver age appropriate training for Primary 7, Secondary 1 and Secondary 5 to support the knife crime strategy.	Dundee is working on similar programmes of knife crime awareness with Police Scotland.
10. Aberdeen City Council to develop work with Ben Kinsella Trust to develop appropriate teaching resources and lessons plans.	
11. The Scottish Government should improve the resilience of schools to the threat posed by weapons and give consideration to amending the law in relation to searching pupils.	<b>Issue for Scottish Government</b>
12. The Scottish Government should explore the further legislative controls that can be brought to bear on the purchase of weapons online.	<b>Issue for Scottish Government</b>
<b>Bullying</b>	
1. Aberdeen City Council 2009 Anti bullying policy to be replaced with a policy developed in conjunction with Respect Me to include the changes following Children and Young People (Scotland) Act 2014.	<b>A working group of Dundee Guidance staff will review and update the Bullying policy. This review will be brought back to Children and Families Services Committee when complete.</b>
2. School anti bullying policies to be written in terms of the new policy.	<b>As above</b>
3. A senior teacher to be trained to respond to the complaints of bullying and agree outcomes with parents.	<b>As above</b>

**Dundee City Council****Responding to young people discovered to be in possession of a knife****Multiagency guidance****Background**

The tragic events that led to the death of school pupil Bailey Gwynne in Aberdeen illustrate how the use of a knife can have a devastating impact. Dundee City Council has considered the implications of the report completed by Andrew Lowe. Among a number of related actions, it has been agreed to issue new guidance about how agencies should respond, to the discovery of a knife being carried by a young person or within the possessions of a young person (e.g. in bag or locker)

**Guidance**

If a young person is found to be in possession of a knife the agreed response is that the Police should be informed and that the Named Person (and Lead Professional, where applicable) should be informed. The Named Person (in conjunction with the Lead Professional, where applicable) should give strong consideration to convening a Team Around the Child (TATC) meeting for the purposes of: multiagency information sharing, assessment of risk and agreement of necessary actions. As a council we are informing staff that a TATC meeting is viewed as the proportionate and reasonable response to the issue of a young person being found in possession of a knife. If a Named Person or Lead Professional does not assess that a TATC is required they should obtain their line manager's agreement that there is an acceptable reason not to do so and note this in agency records.

**Clarification**

1. This guidance applies to all circumstances (inside and outside school) where a young person is found to be in possession of a knife. If a young person is known to be in possession of a knife out with school, there is an obvious risk that they could bring the knife into school. Multiagency information sharing and planning is the best way to ensure that all factors relevant to an assessment of risk have been considered.
2. Within GIRFEC a young person is defined as under 18 years old. The response to information about knife carrying shall be co-ordinated by the Named Person or Lead Professional. For children still in school, the Named person will be a member of school staff .For children still in school the expectation is that a TATC will be called. For young people aged 16-17, not in school, the Named Person will be a member of the Skills for Learning and Work Team. The Named Person for such young people should assess available information and decide if a TATC is required.
3. There are knives that are less harmful than others. Judgement will have to be used if the knife found in the possession of a young person is within the less harmful category. There are other weapons which are not knives which could inflict considerable harm. In the event of discovery of a dangerous implement that could cause harm in the possession of a young person, it will be necessary to use judgement regarding any legitimate context for the possession and the Police should be consulted if there is any doubt.
4. If there is extra evidence of concern, for example where a knife has been used then consideration should be given to calling a Care and Risk Management (CARM) Meeting. The Named Person or Lead Professional should discuss with the CARM Co-ordinator (Senior Manager for Criminal Justice). CARM can provide a specific focus on ongoing risk management for young people who present the highest risk to others.
5. The Police should be informed of every incident in which a young person is found in possession of a weapon. The Police will form a judgement of whether to charge or not. Any

- resultant charge will either be considered by the Early and Effective Intervention (EEI) group or sent to the Reporter or Procurator Fiscal. If the offence is discussed and allocated by EEI, the allocated worker should liaise with the Named Person to ensure that there is co-ordination between the EEI intervention and the TATC process.
6. If the young person is already Looked After, they will have a Lead Professional (usually a Social Worker) and the Lead Professional should take the lead in arranging a TATC meeting to ensure multiagency decision making. This could be achieved through a specific TATC meeting or through raising the issue at a scheduled LAC review or in-care planning meeting.
  7. This guidance emphasises that if information is received that a young person is carrying a knife the Police should be informed along with the Named Person/Lead Professional and that a multiagency meeting should be convened. Beyond that, the assessment of risk and consideration of the specific circumstances, is a matter for each Team Around the Child. It may be that only a single meeting is required or it may be assessed that an ongoing process of meetings is required to measure progress against agreed actions. What is required is that every incident of this nature is addressed through a sharing of information and a multiagency assessment of risk.
  8. If a young person is detected as having a knife within the school premises, as well as the guidance to inform Police Scotland and to hold a Team Around the Child meeting, it is also necessary for School staff to inform their Senior Education Locality manager. This is to ensure that senior staff maintain an overview of the nature of the issue and the responses, across the City.
  9. The Scottish Government has made the decision not to give compulsory powers to teachers to search pupils' possessions. Further Scottish Government guidance is expected in the spring 2017. Staff in schools can seek pupils' agreement to consensual searches. It should be noted that the majority of the detections of knives in schools have been through consensual searches, usually following information from other pupils. Teaching staff should not undertake random searches but where there is some extra evidence for concern (most commonly a report from another pupil) then a consensual search should be considered. If there is extra evidence for concern and a pupil refuses a consensual search, then the Police should be called. The Police do have the legal power to carry out non- consensual searches if there is justification to do so.

**DUNDEE CITY COUNCIL**

Equality and Diversity Rapid Impact Assessment Tool

Part 1

<b>Date of assessment</b> 2/3/2017	<b>Title of document being assessed</b>
This is a new policy, procedure, strategy or practice being assessed (If yes please tick box) <input checked="" type="checkbox"/>	This is an existing policy, procedure, strategy or practice being assessed? (If yes please tick box) <input type="checkbox"/>
Please give a brief description of the policy, procedure, strategy or practice being assessed.	This report is a consideration of the recommendations arising from the Bailey Gwynne report and implications for Dundee.
What is the intended outcome of this policy, procedure, strategy or practice?	To implement new multi-agency guidelines in relation to pupils found with weapons and to begin educational support programmes on the dangers of carrying knives.
Please list any existing documents which have been used to inform this Equality and Diversity Impact Assessment.	Bailey Gwynne report, Dundee City Council Bullying Guidelines and Children and Families Critical Incident Guidelines.
Has any consultation or involvement with protected communities informed this assessment? If yes please give details.	No.
Please give details of council officer involvement in this assessment.  (E.g. names of officers consulted, dates of meetings etc.)	Paul Clancy, Executive Director Children and Families Service
Is there a need to collect further evidence or to involve or consult protected communities?  (Example: if the impact on a community is not known what will you do to gather the information needed and when will you do this?)	No.

## Part 2

Which groups of the population will be positively or negatively affected by this policy, procedure or strategy?

	Positively	Negatively	No Impact	Not Known
<b>Ethnic Minority Communities including Gypsies and Travellers</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Gender</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Transgender</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Religion or Belief</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>People with a disability</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Age</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Lesbian, Gay and Bisexual</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Socio-economic</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Pregnancy &amp; Maternity</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Other (please state)</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Part 3

Equality and Diversity Rapid Impact Assessment

<p>a) Have any positive impacts been identified?            (We must ensure at this stage that we are not achieving equality for one strand of equality at the expense of another)</p>	<p>If yes please give further details</p>
<p>b) Have any negative impacts been identified?            (Based on direct knowledge, published research, community involvement, customer feedback etc. If unsure seek advice from your departments Equality Champion.)</p>	<p>If yes please give further details</p>
<p>c) What action is proposed to overcome any negative impacts?</p>	<p>Please give further details</p>
<p>d) Is there a justification for continuing with this policy even if it cannot be amended or changed to end or reduce inequality without compromising its intended outcome?            (If the policy that shows actual or potential unlawful discrimination you must seek legal advice)</p>	<p>If yes please give further details</p>
<p>e) Has a Full Equality Impact Assessment been recommended?            (If the policy is a major one or is likely to have a major impact on protected communities a Full Equality Impact Assessment may be required) Seek advice from your departmental Equality Champion.</p>	<p>If yes please give further details  No</p>

Part 4

Department: Children and Families Service

**Type of Document**

<b>Human Resource Policy</b>	<input type="checkbox"/>
<b>General Policy</b>	<input type="checkbox"/>
<b>Strategy/Service</b>	<input type="checkbox"/>
<b>Change Papers/Local Procedure</b>	<input type="checkbox"/>
<b>Guidelines and Protocols</b>	<input checked="" type="checkbox"/>
<b>Other</b>	<input type="checkbox"/>

**Contact Information**

Manager Responsible	Author Responsible
Name Paul Clancy	Name Paul Clancy
Designation Executive Director	Designation Executive Director
Base Dundee House	Base Dundee House
Telephone 01382 433088	Telephone 01382 433088
Email paul.clancy@dundeeicity.gov.uk	Email paul.clancy@dundeeicity.gov.uk

**Signature of author of the policy, procedure or strategy:**



**Head of Department and Service area: Michael Wood**

**Date of next policy review: April 2018**