



## School Premises - Incidents Occurring upon Educational Premises Procedure

### Abstract

The following document provides officers, FCC and Occurrence Management Unit staff with information to support the use of their decision making and rationale when dealing with reported incidents occurring on school premises.

### Supporting Documents

- [Drug Advice for Schools](#)
- [Surrey Drug Guidelines](#)
- [Community Harm and Risk Management Meetings - Healthy Surrey](#)
- [Joint Action Groups - Healthy Surrey](#)

### Policy

Safer Neighbourhood Team Abstraction Policy.

### Procedure

#### 1. Introduction

- 1.1 The following document provides officers, FCC and Occurrence Management Unit staff with information to support the use of their decision making and rationale when dealing with reported incidents occurring on school premises.
- 1.2 The procedure is in line with current Department for Education and Skills (DfES) and The Association of Chief Police Officers (ACPO) guidelines 2012. This procedure is also in line with [Surrey County Council's drugs guidance for schools](#).

Should be read in conjunction with Intelligence Lead Operations and Pre-Planned Activity in Educational Settings Procedure (Drugs in Schools)

#### 2. National Context:

- 2.1 In relation to incidents which took place on school premises during normal school hours, the expectation is that in the first instance, it is the responsibility of school managers and staff, not police officers, to deal with and record behavioural

incidents involving children and young people on a school site, even though it may be decided later that some cases amount to criminal conduct.

When police have reported to them an incident which took place on school premises during normal school hours, such reports must be recorded as a crime related incident only, until or unless:-

- a) they judge it to be a serious incident as defined below;
- b) having brought the matter to the attention of the school in line with good practice, they receive a formal request from the school to create a crime record; or
- c) the child, parent or guardian or the child's representative asks the police to create a crime record.

### **3. Nature and seriousness of Incidents**

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

p) 92E (Possession of Cannabis),

q) 106 (Modern Slavery),

r) All sexual assaults

**(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.

**4. Non-crime incidents**

4.1 Non-crime incidents involving school-aged children, where the alleged behaviour takes place on school premises, should be referred to the school's management team to assess the risk and decide on a proportionate response.

4.2 This includes incidents in a classroom during a lesson, or in the playground. It may also include incidents involving a school employee and/or content or forms of expression that are provided by teaching staff as part of the school curriculum. It does not apply to incidents during school trips or on school transport to and from school.

4.3 The school management team should implement appropriate safeguarding measures for any children involved, and where appropriate, should ensure that a parent or guardian is notified and present when a child may be questioned.

4.4 A record should be made on the police command and control systems, noting that the matter has been passed to the school to manage. The record should include any other actions taken.

4.5 If the matter is reported directly to a police officer already on school premises, it does not need to be recorded on police recording systems, as long as the

incident has been recorded by the school in accordance with the agreed school protocol.

- 4.6 If there is a concern that the school may not be able to adequately address the concern, or there is a risk that the incident may escalate further or result in criminal conduct (either within or outside the school), this may warrant further police involvement.

Please refer to [NPCC Children and Young People – when to call the police guidance for schools and colleges](#)

## **5. Information about Schools:**

- 5.1 Where an incident is reported at school, the seriousness of the incident is a judgement for the school to make. In making this decision, the incident and any history is taken into consideration by the school.
- 5.2 The school should inform the victim's parent/guardian as soon as is reasonably possible and should include them in the decision-making process.
- 5.3 If the school decides the incident does not need to be officially reported to the police or they are uncertain as to how to proceed, they may contact the Borough Youth Engagement Officer for advice and support.
- 5.4 The school retains the right to report the incident for police investigation at a later stage if the incident proves more serious or complex than initially thought.
- 5.5 When a school decides to deal with an incident internally, it remains the responsibility of the school to investigate and resolve the matter appropriately.
- 5.6 If a school, having considered all of the circumstances, makes the decision to request the police to take over the investigation, they will co-operate fully with the police investigation.
- 5.7 Schools will be expected to retain a record of all incidents occurring on school premises

## **6. Request from School to Attend School Premises**

- 6.1 Officers responding to an incident in a school should identify themselves to reception staff and wait for an appropriate senior manager to liaise with; unless the serious nature of the incident requires immediate intervention.
- 6.2 Investigating officers will ensure the school is aware of the relevant crime reference number for their records and for any enquiries
- 6.3 Investigating officers will liaise with the relevant Borough Youth Engagement Officer to inform them of their involvement in an investigation in school. The team will offer advice and support in dealing with the school throughout the investigation.
- 6.4 During the investigation, officers may make enquiries at the school. This may entail taking statements from witnesses and, where known, interviewing the offender. During this process, the school management should be kept fully informed. Officers will liaise with school management to minimise disruption to the daily running of the school, if possible.
- 6.5 Only in exceptional circumstances will the interview or arrest of a suspected offender take place on school premises. Officers should refer to PACE Code C.11.16 in this regard.

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- 6.7 Only in exceptional circumstances will the interview or arrest of a suspected offender take place on school premises. Officers should refer to PACE Code C.11.16 in this regard.
- 6.8 PACE 11.16 Juveniles may only be interviewed at their place of education in exceptional circumstances and only when the principal or their nominee agrees. Any interview with a young person **MUST** be recorded. Every effort should be made to notify the parent(s) or other person responsible for the juvenile's welfare and the appropriate adult. Reasonable time should be allowed to enable the appropriate adult to be present at the interview. If awaiting the appropriate adult would cause unreasonable delay, and unless the juvenile is suspected of an offence against the educational establishment, the principal or their nominee can act as the appropriate adult for the purposes of the interview.
- 6.9 A child or young person's involvement in crime and/or behavioural incidents on school sites may be indicative of deeper child protection issues. As such, if an officer investigates a matter at a school, they should also complete a SIGNS SIGNS Child at Risk Policy.docx.
- 7. General power of arrest:**
- 7.1 Under section 24 of the Police and Criminal Evidence Act (PACE) 1984, police can lawfully arrest any individual when that individual has "involvement or suspected involvement in the commission of a criminal offence" and when they have "reasonable grounds for believing that the person's arrest is necessary".
- PACE Code G Necessity Criteria**
- 7.2 The necessity criteria for arrest under the PACE Code G are exhaustive and require the constable to justify the reason or reasons why a person needs to be arrested. The criteria include:

Ascertaining a person's name or address: If a person fails or refuses to give their name or address, it may be necessary to arrest them. Doubting a name given: If a person appears reluctant or hesitant to provide their name, it may be necessary to arrest them. Other specific reasons: The criteria also include other specific reasons that may justify an arrest, as outlined in the PACE Code G.

[Response, arrest and detention | College of Policing PACE Code G 2012 \(accessible\) - GOV.UK](#)

Officers must be satisfied that at least one of the reasons supporting the need for arrest is satisfied before exercising the power of arrest. The criteria are exhaustive, and the circumstances that may satisfy those criteria remain a matter for the operational discretion of individual officers.

## **8. Police Initiating Power of Arrest on School Premises.**

8.1 As a guiding principle, police officers are actively discouraged from exercising their powers of arrest in educational premises and should only consider arresting pupils within these locations, as opposed to from the home address or some other location, where absolutely necessary. Please see Surrey Police Child Centered Policing Strategy.

8.2 This guidance has been shared with all LEA secondary schools in the county.

## **9. Considerations for educational staff:**

### **9.1 Student Search Policy – Safeguarding and Legal Compliance**

#### **Purpose:**

To ensure all searches of students are carried out lawfully, respectfully, and with safeguarding as the highest priority. Background: Following the serious safeguarding failures in the case of Child Q, where a 15-year-old girl was strip-searched by police at school without an appropriate adult present, national guidance has been updated. This policy reflects those changes and reinforces our commitment to protecting the dignity and rights of every student

#### **Key Principles**

- **Safeguarding First:**

Any search must prioritise the child's welfare. Searches should never be used as a disciplinary shortcut or without clear justification.

- **Legal Powers:**

Staff may search students only **when there are reasonable grounds to** suspect possession of prohibited items (e.g. weapons, drugs). Searches must be proportionate and follow Department for Education guidance.

- **Consent and Communication:**

Wherever possible, students should be informed and involved in the process. Parents/carers must be notified of any search, especially if police are involved.

- **Strip Searches:**

Strip searches must never be conducted by school staff. If police are involved:

- An appropriate adult must be present.
- The search must be authorised by a senior officer.
- The child's dignity, privacy, and wellbeing must be protected.
- A record must be kept, and parents/carers informed.

- **Equality and Anti-Discrimination:** Searches must be free from bias. Staff must be aware of the risks of adultification and racial disproportionality, as highlighted in the Child Q case.
- **Staff Responsibilities**
  - Only authorised staff may conduct searches.
  - All staff must receive training on safe and lawful search procedures.
  - Any concerns or incidents must be reported to the **Designated Safeguarding Lead (DSL)** immediately.

9.2 Where a decision is made to carry out an arrest on educational premises there will be reasons that might include the following (although not exhaustive):

- Where a pupil is suspected of an offence and forensic evidence is thought to exist on the pupil's person and a delay in arresting the pupil could lead to loss of this forensic evidence;
- 1. Where a pupil is suspected of an offence and that pupil has property, documents or other evidential material in their possession and a delay in arresting the pupil could lead to a loss of this evidential material (e.g. concealment, passing to others or otherwise disposal);
- 2. Where a pupil is suspected of an offence and a delay in arresting the pupil might result in significant harm being caused to the pupil or a third party, or that any investigation would be disproportionately hampered by that delay.

9.3 It is therefore anticipated that the most common reason to undertake the unusual action of making an arrest on educational premises is about preventing loss or destruction of evidence / property and/or preventing harm. Arrests of pupils on educational premises should therefore be accompanied by some need for urgency. Police officers will be mindful of the position that this places educational staff in and will fully expect staff members to be protective of the pupil's interests and well-being while they continue to act "in loco parentis" (in the place of a parent).

## 10. Reasonable expectations – police and educational staff:

10.1 Where an arrest has taken place within an educational premise the police do not expect staff members to be mere observers. Equally, police officers must not be obstructed in their lawful duty.

## 10.2

If possible, the following principles will be adhered to by police officers and the staff of the educational premise concerned:

- i) If practicable, the head teacher/principal or other senior manager will be notified of the intention to attend and effect an arrest on a pupil with the proviso that :
  - The pupil concerned is not informed prior to the arrest;
  - No staff members other than those essentially required to know are informed prior to the arrest;
  - The parents/guardians of the pupil are not informed prior to the arrest if police offer justification as to the reasons for this (e.g. to prevent interference with evidence) to the school **(otherwise the school might consider it their responsibility to inform parents)**.
- ii) Notwithstanding this, in urgent cases it will not always be possible to comply with the above. In these circumstances the police will, in any event, seek to minimise the impact on the educational community (pupils and staff) of their presence on school premises by:
  1. Arriving as discreetly as possible with the minimal officer numbers required to perform the task
  2. always reporting to the head teacher/principal or other senior manager on arrival
  3. Conducting the arrest wherever practicable out of sight/hearing of staff (other than those whose presence is necessary) or pupils and, unless significant justification can be made, NEVER in the classroom, in lessons including during or prior to a GCSE exam or equivalent.
  4. complying wherever possible with any reasonable request from an educational premise to delay and the arrest so that (c) above can be easily achieved;
  5. leaving the school premises with the arrested pupil as discreetly as possible
1. Once the pupil is in police custody it becomes the responsibility of the police to ensure that parents / guardians are informed of the arrest. The educational premise has a duty, however, to inform parents of the child as soon as the child is no longer on their premises. In order to facilitate this communication, and wherever practicable, the police will contact the parents from the school

premises prior to the removal of the child into police custody. Once this is done the school can make appropriate contact with the parents themselves.

2. Police are reminded that the school acts as “in loco parentis” (meaning they must be expected to act as a reasonable parent would, to safeguard the rights and freedoms of the child) and therefore the police must expect to allow a member of staff from the school to accompany the child to custody unless the parent specifically does not wish this, or in the absence of view being obtained from the parent (e.g. if they are not contactable).

## **11. Post-arrest matters:**

### **Searches:**

- 11.1 Police have powers under PACE to search an arrested person and also - in most cases - to search the premises in which that person was arrested (or was in immediately prior to the arrest).
- 11.2 In circumstances described above this would include the pupil, their locker, desk and – technically – any part of the school that the pupil has access to which the police have reasonable grounds for believing that evidence of the offence under investigation might be obtained.
- 11.3 Notwithstanding the existence of powers of search this, if police officers require to search school premises for evidence of the offence under investigation, then this will be done wherever possible with the consent and cooperation of the appropriate school staff member.
- 11.4 Police will continue to bear in mind their impact (as described above) and if a search is necessary at all, and particularly at the time of arrest then the search will be done in as discreet a way as possible and with the cooperation of the school.
- 11.5 Before a strip search (removal of more than outer coat, jacket or gloves) is carried out on a **detainee under the age of 18** the authority of the Custody Officer must be **ratified by an officer of the rank of Inspector or above**.
- 11.6 Reference must be made to - Strip Search in Surrey police Custody Suite Policy, Searching Biological Sex Policy (Surrey and Sussex) (1248).docx

## **12. Feedback to schools:**

- Staff members will invariably have to cope with the aftermath of an arrest of a pupil, both with the pupil themselves, that pupil's parents, and possibly other pupils and staff as well.
- In light of this, police will endeavour – wherever possible, and within the grounds of data protection and investigative confidentiality – to inform the educational premise of pertinent information with regard to the investigation/arrest so as to enable staff to effectively manage this

aftermath to the benefit of all concerned (particularly the pupil/s directly involved).

- The usual police point of contact for this communication will be the borough Youth Engagement Officer or – if they are not available - another officer from the Safer Neighbourhood Team. Occasionally, and if appropriate, the officer investigating the case will speak to the school via email: [school.relationships@surreycc.gov.uk](mailto:school.relationships@surreycc.gov.uk)

### **13. Definition of School Premises**

13.1 For the purpose of this guidance, school premises are defined as any part of the school site during the hours that the school is open for purposes of teaching its pupils or undertaking after-school activities with its pupils. Where a school occupies more than one site, school premises include the ‘public areas’ between these sites during the period that the school is open as described above.

13.2 For the purposes of ‘organised school trips’, school premises also include any area where pupils are taken under the direct supervision of teachers and other authorised persons of the school during the time that the organised trip takes place.

### **14. Youth Engagement Officer (YEO)**

14.1 There are 2 Youth Engagement Officers in each Borough, based within the Safer Neighbourhood Team with direct line management and tasking from the Borough based SNT Sgt. Force wide oversight of their role and wider schools’ engagement is provided by the Prevention and Problem Solving Team to ensure consistency and partnership confidence.

14.2 The YEO role is to work in partnership with local schools to address issues such as offending, exclusions and ASB, using a multi-agency approach including Area School Officer and Inclusion service. Adhering to force policy and partnership

14.3 To ensure the Safer Neighbourhood Team is aware of local youth issues and trends to assist in the development of community initiatives in line with Force, Divisional and Borough plans

14.4 To contribute to relevant, trauma informed, strengths-based projects which promote and enhance Surrey Police’s engagement with young people.

14.5 The YEOs also support the delivery Personal, Social, Health Education (PSHE) compliant lessons aimed at Yr 4 and Yr7 on “Who we are and how we can help”. The overarching policing message is the promotion of “Community Safety”.

14.6 The YEO’s are also required to know the Child Centred Policing Strategy and to promote it within their action.

### **15 Police service delivery of education and awareness to schools**

15.1 Excepting 14.5 above, **NO** members of Surrey Police are to deliver awareness or training sessions into educational settings/Schools without consultation with

Prevention and Problem Team Sgt or Head of Dept for Youth Engagement. This is to maintain consistency and professionalism, removing potential conflict with Surrey Healthy Schools Approach, Surrey County Council and to ensure any provision provided is trauma informed and uses a strengths-based approach. Adhering to National and local guidance. Also, that the officer is appropriately trained and the right person/dept/organisation to be delivering such input.