

# BMAT PREMISES SECURITY POLICY AND PROCEDURE

<b>Approving Body</b>	Trust
<b>Date of Last Review</b>	November 2022
<b>Statutory (Y/N)</b>	N
<b>Responsible Officer</b>	BMAT CEO for and on behalf of the Trust

## **I. INTRODUCTION – POLICY AND SCOPE**

1. BMAT endorses and accepts the DfE guidance on School Security (June 1997): Dealing with Troublemakers.
2. This policy aims to:
  - a. Provide a safe environment for both staff and students, whether in the classroom or another part of BMAT premises.
  - b. Record details of all visitors to BMAT premises.
  - c. Allow students and staff the freedom to move around BMAT premises with the knowledge that they are in a safe environment.
  - d. Provide a safe area for staff and students in the event of a fire and provide exit points to that area.

## **II. VISITOR ACCESS**

3. Visitors (including contractors, parents/carers and agency workers) must report immediately to the appropriate reception area, where they will be asked to sign in and issued with a visitors' pass, which they must wear at all times during their visit.
4. Delivery drivers must report to the appropriate reception area and either leave their delivery there for collection or wait for a member of BMAT staff to escort them to their delivery point.
5. All visitors working with children will be asked to produce photographic ID; visitors who are scheduled to work unsupervised with BMAT students must provide proof of a DBS check before they are permitted to carry out such work.
6. All visitors' passes must be returned to the appropriate reception area at the end of a visit and visitors must sign out.

## **III. STAFF ACCESS**

7. Members of staff who leave BMAT premises during the school day must sign out at the appropriate reception area; and sign back in if they return during the same school day.
8. Members of staff must wear their BMAT ID lanyards throughout the school day.
9. To enter the premises via the vehicle or pedestrian gates, members of staff need to hold their lanyards over the telecom entry system at each gate.
10. On school days, members of staff may access the premises from 6:30am and must leave by 5:15pm, unless there is a special event e.g. parents' evening or concert. A bell will sound throughout the premises at 5:10pm to notify members of staff that they need to leave.

11. Members of staff may not access the premises at weekends or out of hours, unless they have prior authorisation and the relevant premises team are aware.

#### **IV. STUDENT ACCESS**

12. See the [BMAT Student Attendance Policy and Procedure](#) for information on student attendance, punctuality and absence management.
13. Unless they are authorised to be absent, students are required to be on the premises for registration until the end of the school day.
14. Students who arrive late are required to sign in at the appropriate reception area when they arrive.
15. Students must only be allowed to leave BMAT premises during the school day with permission from a parent/carer (e.g. due to illness or for a medical/dental appointment).
16. Students must sign out at the appropriate reception area and sign back in if they return during the same school day.

#### **V. PARENT/CARER VEHICLE ACCESS**

17. Parent/carer access to BMAT premises is by appointment only; parents/carers are not permitted to drive onto BMAT premises to drop off or collect their child.
18. This restriction:
  - a. Helps to ensure the security of the premises and the safety of BMAT students; and
  - b. Was enforced in accordance with advice from the London Borough of Redbridge, the Metropolitan Police and Transport for London.
19. Parents/carers are urged to make alternative arrangements for dropping off or picking up their children; BMAT students are urged to walk, cycle or take public transport to school wherever possible.
20. BMAT cannot be held responsible for the manner in which parents/carers drive or park around BMAT premises. However, parents/carers are reminded to observe the Highway Code and parking restrictions at all times.
21. If unauthorised parking is observed but it does not represent an immediate hazard then the owner will be spoken to by a member of the school staff and asked to move their vehicle. The vehicle's number plate will be logged.
22. Persistent unauthorised parking, as indicated by the registration log, will be dealt with by a member of the senior leadership team with reference to the police.

## **VI. ISSUING TEMPORARY OR PERMANENT BANS FROM BMAT PREMISES**

23. BMAT will not tolerate intimidating, aggressive, violent or harassing behaviour on its premises and will take action to protect BMAT students and members of BMAT staff.
24. Statutory guidance on school security from the Department for Education states that, where aggressive, abusive or insulting behaviour or language from a parent/carer/visitor presents a risk to staff or students, or makes them feel threatened, schools have a power in common law to ban the parent from the premises.
25. Bans will be implemented by BMAT school principals on a case-by-case basis and will take effect immediately. When parents/carers are banned from the premises, they will usually be afforded an opportunity to write to the appropriate school principal with any comments or observation. This opportunity will not be afforded to visitors.
26. Temporary bans will include a review date. Permanent bans will only be enforced in very extreme circumstances (e.g. where a parent/carer/visitor has failed to comply with a previous ban).
27. If parents/carers/visitors fail to comply with a ban, BMAT will apply for them to be removed from the premises by the police and for a prosecution to be brought under Section 547 of the Education Act 1996. A conviction under this section will result in a criminal record and a fine of up to £500.
28. If the conduct leading to the issue of a ban from the premises is criminal (e.g. simple assault, battery or assault occasioning actual bodily harm), BMAT will report the matter to the police and act as a prosecution witness if necessary.

## **VII. CLOSING THE PREMISES**

29. In accordance with non-statutory DfE guidance, decisions to close BMAT premises (e.g. due to extreme weather conditions) will be made at a local level, usually by the appropriate school principal, and after the completion of a risk assessment (where appropriate/reasonably practicable). By way of guidance, BMAT school principals should consider closing their schools if:
  - a. An insufficient number of staff are able to get to school;
  - b. There are severe travel restrictions;
  - c. Severe conditions around the school present major obstacles or danger;

## **VIII. PERSONAL BELONGINGS**

30. BMAT does not encourage staff or students to bring valuable items on-site, but should they do so, they are the responsibility of the individual and should be stored securely. BMAT will not be

held responsible for the loss, theft or damage of personal belongings on BMAT premises (including premises under the temporary control of BMAT e.g. on trips or at events).

31. Lost property should be handed to a BMAT school office, where it will be kept for 6 months before disposal.
32. Cash is stored securely and kept to a minimum, in accordance with the [BMAT Finance Policy and Procedure](#).

#### **IX. DEALING WITH TROUBLEMAKERS**

33. The following is a summary of the relevant key points outlined in the DfE Document 'Dealing with Troublemakers'. Members of BMAT staff should be conversant with the whole document.
34. CCTV is installed throughout BMAT premises to monitor incidents and provide evidence when investigating misconduct and allegations of criminal activity (see the [BMAT CCTV Policy and Procedure](#) for further information).
  - a. In any incident staff should consider their own and other students personal safety as the first priority.
  - b. All incidents must be reported. The more information that is recorded the easier it will be to follow up any incidents, deal with any complaints/concerns about the manner in which an incident was handled and support a police investigation if necessary.
  - c. Members of staff should not act in any way that could provoke or increase the risk of an incident occurring.
  - d. If a member of staff is in any way unclear of what s/he should do, s/he should contact a senior member of staff as soon as possible.
  - e. If BMAT security arrangements are adhered to, then the risk of any incidents occurring will be kept to a minimum.

#### **TRESPASS/ UNAUTHORISED ACCESS**

- Trespass is generally a civil rather than a criminal offence.
- BMAT and its grounds are private places; anyone entering without permission (including students, ex-students, excluded students and parents) is trespassing, and may be asked to leave.
- BMAT can consider an injunction against persistent trespassers.
- A trespasser refusing to leave the premises, entering after being required to leave or entering after a ban, may be committing an offence under Section 547 of the Education Act 1996, which carries a criminal record and maximum fine of £500. Police officers and members of SLT may use reasonable force to remove someone suspected of committing an offence under the Act.

<u>Trouble</u>	<u>Staff Action</u>	<u>Options for Action</u>	<u>Penalties</u>
Trespass	SLT informed.	Trespasser asked to leave.	
Trespasser refuses to leave or causes disturbance.	Incident Report submitted.	Police or member of SLT removes trespasser.  Ban from BMAT premises.  Civil proceedings may be instigated.	£200 fine or parent of under 16 may be bound over.
Trespasser persistently enters school premises	Incident Report submitted.  May be alerted to the police.	Ban from BMAT premises for parents/carers/visitors.  Prohibitory injunction may be applied for.  May pursue prosecution under S.547 of the Education Act 1996.	Substantial penalties if injunction breached (including a maximum 2 year prison sentence).  Criminal record and £500 fine.
Trespasser causes a breach of peace	Incident Report submitted.  Police may be informed.	Police may arrest and charge.  Ban from BMAT premises.  Civil and/or criminal proceedings may be instigated.	Up to 6 months imprisonment for failure to comply with binding over order of the court.
Trespasser causes loss or damage to property or disruption of BMAT activity.	Incident Report submitted.  Police may be informed.	BMAT may take civil action to seek compensation.  Ban from BMAT premises for parents/carers/visitors.  Criminal proceedings may be instigated.	Damages may be awarded.  See below for criminal damage.
Trespasser causes deliberate or reckless damage.	Incident Report submitted.  Police may be informed.	BMAT reports incident to police.  Ban from BMAT premises for parents/carers/visitors.	Maximum 10 year prison sentence unless the act endangered life then possible life sentence.

**OFFENCES NOT INVOLVING PHYSICAL ASSAULT/BATTERY**

- Causing harassment, alarm or distress to staff, on or off BMAT premises, could be an offence under the Criminal Justice and Public Order Act 1994.
- Causing another person to apprehend the infliction of immediate and unlawful personal force is an offence of simple assault under Section 39 of the Criminal Justice Act 1998.
- Threatening, abusing or insulting staff or students, on or off BMAT premises, could be an offence under the Public Order Act 1986.
- Relative factors, such as the age of an alleged offender or victim and the extent of the challenge to authority should be considered. Sentencing options vary for young offenders and include Detention and Referral Orders; Rehabilitation Orders and Community Orders. Additional penalties may be imposed on parents.

<b><u>Trouble</u></b>	<b><u>Staff Action</u></b>	<b><u>Options for Action</u></b>	<b><u>Penalties</u></b>
Person causes intentional harassment, alarm or distress.	SLT informed and Incident Report submitted.  Incident may be reported to the police.	SLT warns person to stop. Police officer warns person to stop and has power of arrest.  Ban from BMAT premises for parents/carers/visitors.	Maximum penalty: £5000 and/or six months imprisonment.
Person uses threatening, abusive or insulting words or behaviour.	SLT informed and Incident Report submitted.  Incident may be reported to the police.	SLT warns person to stop. Police officer warns person to stop and has power of arrest.  Ban from BMAT premises for parents/carers/visitors.	Maximum penalty: £5000 and/or six months imprisonment
Person pursues course of action which causes another harassment.	SLT informed and Incident Report submitted. Incident may be reported to the police.	SLT should report incidents to police, who have power of arrest.  Ban from BMAT premises for parents/carers/visitors.	Maximum penalty: £5000 and/or six months imprisonment
Person pursues course of action which causes another to fear that violence will be used against them.	SLT informed and Incident Report submitted. Incident may be reported to the police.	SLT should report incidents to police. Police have power of arrest.  Ban from BMAT premises for parents/carers/visitors.	Maximum penalty: unlimited fine and/or five years imprisonment. Restraining order may be issued by court

**OFFENCES INVOLVING PHYSICAL ASSAULT/BATTERY**

- Assault causing actual bodily harm is an indictable offence. BMAT will report assaults of this nature to the police.
- Fights between students will be treated as disciplinary offences in accordance with the [BMAT Student Code of Conduct and Behaviour Management Policy and Procedure](#) and the [BMAT External Exclusion Policy and Procedure](#). Serious assaults (i.e. those involving injury) should be reported to the police.
- BMAT will assist the police by recording all details of incidents.
- Relative factors, such as the age of an alleged offender or victim and the extent of the challenge to authority should be considered. Sentencing options vary for young offenders and include Detention and Referral Orders; Rehabilitation Orders and Community Orders. Additional penalties may be imposed on parents.

<b><u>Trouble</u></b>	<b><u>Staff Action</u></b>	<b><u>Options for Action</u></b>	<b><u>Penalties</u></b>
Person assaults or batters another person.	Staff inform SLT or Site Manager.  Incident Report.  If it involves a fight between two students, a detailed incident note should be completed.	SLT investigate and record evidence.  SLT or police may restrain assailant with reasonable force to protect victim and prevent assailant committing a further crime.  Assailant may be arrested for breach of the peace and/or common assault.  Ban from BMAT premises for parents/carers/visitors.	Maximum penalty: £5000 and/or six months imprisonment.
Person assaults another person causing actual bodily harm.	Staff inform SLT or Site Manager. Online Accident/  Incident Report submitted by First Aid Officer.  If it involves a fight between two students a detailed incident report will be completed.	As above, except arrest is under S 47 Offences Against the Person Act 1861.  Ban from BMAT premises for parents/carers/visitors.  Ambulance called if necessary.	Maximum penalty: 5 years imprisonment.
Person assaults another person causing grievous bodily harm.	As above.	As above, except arrest is under S 18 or S 20 of Offences Against Person Act 1861.  Ambulance called.	Maximum penalty for S 18 (intentional GBH) is life imprisonment.  Maximum penalty for S 20 (reckless GBH) is 5 years.



### **OFFENCES INVOLVING OFFENSIVE WEAPONS**

- It is an offence under the Offensive Weapons Act 1996 to carry, without reason or authority, a knife or offensive weapon in or around schools.
- This applies to all knives other than folding pen knives with a three inch or smaller blade. Exceptions to this include knives for educational or religious purposes.
- Except in cases where there is no doubt that the incident is innocent or poses no threat, the police should always be called.
- Where there is reasonable belief that a student might be carrying an offensive weapon, senior staff can, before police arrive, search a student (see table below).
- A confiscated weapon should generally be handed over to the police as soon as possible.
- The police can enter and search a school for an offensive weapon.
- Relative factors, such as the age of an alleged offender or victim and the extent of the challenge to authority should be considered. Sentencing options vary for young offenders and include Detention and Referral Orders; Rehabilitation Orders and Community Orders. Additional penalties may be imposed on parents.
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<b><u>Trouble</u></b>	<b><u>Staff Action</u></b>	<b><u>Options for Action</u></b>	<b><u>Penalties</u></b>
Weapon or knife is suspected to be on school premises.	Staff inform SLT or Site Manager immediately.  Incident Report submitted.	SLT call police, who may arrest.	Police may enter BMAT and search for weapon. Weapon may be seized and removed.
Person carries a weapon or knife on school premises in circumstances not subject to statutory defences	Staff inform SLT or Site Manager immediately.  Incident Report submitted.	SLT calls police, who may arrest.	Carrying a knife – 2 years imprisonment and /or unlimited fine.  Carrying a weapon – 4 years imprisonment and/or unlimited fine.  Lower penalties for 10 – 17 year olds (e.g. Community Orders and Detention and Training Orders).

### **THE POWER TO CONFISCATE, SEARCH AND USE REASONABLE FORCE.**

This section has been drafted in accordance with the provisions of ‘Searching, Screening and Confiscation’ [DfE, 2014], the Education Act 1996 and Article 8 of the European Convention on Human Rights.

Confiscating items.	Any member of staff can confiscate items that are illegal or prohibited by BMAT. Notwithstanding this, the law on searching students for illegal or prohibited items is more restrictive (see below).
Searching students with consent.	<ul style="list-style-type: none"> <li>• Any member of staff can search a student for any item with his/her consent.</li> </ul>

	<ul style="list-style-type: none"> <li>• Written consent is not required; it is sufficient to ask the student to hand over an item or ask whether the member of staff can search the student’s bag, locker or jacket and for the student to agree.</li> <li>• If a student refuses a search request, the member of staff may apply a suitable sanction in line with Section VI of this policy or request a search without consent by a senior member of staff, as below.</li> </ul>
Searching students without consent.	<ul style="list-style-type: none"> <li>• BMAT reserves the right to search students without their consent if it has reasonable grounds to suspect that they are carrying prohibited/illegal items or substances. This includes weapons, stolen items, any item that the member of staff suspects has been or is likely to be used to commit an offence, alcohol, drug paraphernalia and smoking supplies.</li> <li>• Searches must be carried out on BMAT premises or where the member of staff has lawful control of a student e.g. on school trips.</li> <li>• Searches must be conducted by a BMAT School Principal or a member of staff authorised by a BMAT School Principal. The BMAT School Principals have authorised members of the BMAT senior leadership teams to conduct searches without consent, provided they do so in accordance with this policy.</li> <li>• Searches must be conducted by someone of the same sex as the student being searched; and there must be a witness (also a staff member) present. If possible, the witness should also be the same sex as the student concerned.</li> <li>• Members of staff of any seniority can only carry out a search of a student of the opposite sex and/or without a witness present if they have reasonable grounds to believe that there is a risk of serious harm to a person, including the student being searched, if the search is not conducted immediately; and where it is not reasonably practicable to summon another member of staff. This may be the case when a student is suspected to be in possession of a dangerous weapon.</li> <li>• During a search, students must not be required to remove any clothing other than outer clothing (coats, jackets and blazers).</li> <li>• In some circumstances, it may be necessary to use reasonable force when conducting a search for illegal items.</li> </ul>
After a search	<ul style="list-style-type: none"> <li>• BMAT may retain or dispose of a student’s property as a sanction (e.g. fireworks, tobacco and alcohol). Under no circumstances should these items be returned to the student.</li> <li>• Pornographic images may be disposed of unless an image constitutes a specified offence (revenge pornography, child pornography, extreme pornography). These images must be reported to the police.</li> <li>• Weapons, controlled drugs or items that are evidence of an offence must be passed to the police as soon as possible.</li> <li>• It would not be reasonable to pass low-value stolen items (e.g. pencil cases) to the police, but high-value stolen items (e.g. mobile devices) should be passed onto the police.</li> <li>• Although there is no legal requirement to keep a record of searches, BMAT considers it good practice to record searches in writing, particularly if a complaint is made regarding a decision to conduct a search or the manner in which a search was carried out. Records should be co-signed by the member of staff who carried out the search and any staff witnesses.</li> <li>• Although there is no legal requirement to do so, BMAT considers it good practice to inform parents/carers when a search of their child has led to the discovery of illegal or prohibited items.</li> </ul>

Using reasonable force.	<ul style="list-style-type: none"> <li>• Section 93 of the Education and Inspections Act 2006 empowers schools to such force on students as is reasonable in the circumstances; and the DfE recognises that, at some point in their career, most teachers will come into physical contact with a student and that force is normally used to control or restrain in the interest of student safety.</li> <li>• ‘Reasonable’ means using no more force than is necessary; it is always unlawful to use force as a punishment. An example of reasonable force would be leading a student to safety by his/her arm; restraining a student to break up a fight between students who refuse to separate voluntarily; or standing between students who are involved in a physical fight.</li> <li>• Any member of BMAT staff has the power to use reasonable force; this power may extend to those who have been put in temporary charge of students by a school principal (e.g. unpaid volunteers on a school trip).</li> <li>• Reasonable force should only be used to prevent students from harming themselves or others, from damaging property or from causing disorder. For example, members of staff may use reasonable force to remove disruptive children from the classroom where they have refused to follow an instruction to do so; to prevent a student from behaving in a way that disrupts a BMAT event, trip or visit; to prevent a student from leaving the classroom where allowing the student to do so would risk their safety or lead to behaviour that disrupts the behaviour of others; to prevent a student from attacking a member of staff or another student; and to restrain a student at risk of harming themselves through physical outbursts. This list is non-exhaustive.</li> <li>• The decision on whether or not to physically intervene is down to the professional judgment of the member of staff concerned and the circumstances at play. Wherever possible, members of staff who decide to use force should verbally pre-warn the student(s) concerned of their decision to do so.</li> <li>• Reasonable force may be used on students with SEN needs but the decision to use reasonable force should take into account the information and understanding of the needs of the student concerned.</li> <li>• Physical holds should only be used in extreme cases, where absolutely necessary (e.g. if a student has another student pinned to the floor and persists in delivering blows) and by members of staff with appropriate training. The DfE has certified that certain restraint techniques present an unacceptable risk when used on children and young people. These techniques include two members of staff forcing a student into a seated position and leaning them forward; holding a student’s arms across their chest; and delivering a sharp upward jab under the nose.</li> <li>• The use of force must be recorded on SIMS; the use of force in response to more serious incidents e.g. fights should be recorded in writing as part of the report on the incident. Witness statements should be obtained where the force used involved restraining/holding a student.</li> <li>• Although there is no legal requirement to report the use of force to parents/carers, it is good practice to do so.</li> </ul>
Screening students	<ul style="list-style-type: none"> <li>• BMAT may require students to undergo screening by a walk-through or hand-held metal detector, even if it does not suspect students of having weapons. Screening does not require consent and any member of staff can conduct screening.</li> </ul>