

AWARD-WINNING EDUCATION

HOPWOOD HALL COLLEGE
**SUBSTANCE
MISUSE,
PROHIBITED
ARTICLES AND
SEARCH
POLICY**

2024-2026



Policy Cover Sheet

Please fill in the following details:

Policy Name	Substance Misuse, Prohibited Articles and Search Policy 2024-2026
Version Number	V1
Policy Owner	Tracey Marrow
Release Date	16/09/2024
Policy valid for	2 years

Documents included:

Completed Checklist (below)	X
Policy text	X
Filled in EIA	X

All policies will be available via NetConsent. Does the policy need:

To be accepted on NetConsent by staff?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Made available on the website?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

Policy Checklist

Have you completed the following tasks:

Used the Microsoft Accessibility Checker	X
Used formatted headings	X
Used Arial 12pt font	X
Included numbered paragraphs	X
Included page numbers	X
Included alternative text for all images which accurately describe what's in the picture	N/A
Checked for gender neutral language e.g. remove dinner ladies, workmen, he/she and replaced with servers, contractors, they.	X
Used the full phrase instead of the acronym at least the first time	X
Used the spelling and grammar check	X
Gained feedback from colleagues to ensure the policy is clear and accurate	X
Included any legal, social or organisational changes since the last policy review	N/A
Reviewed the connected policies to ensure they are still active	X
Filled in the change log	X
Listened to the policy using the accessible reader	X
Reviewed the policy flowchart	X
Informed the EDI Manager of upcoming policy deadlines	X

Sign Off: To be filled in by the named person only

	Name	Date
SLT	Caroline Street	16/09/2024
Corporation (if required)		
Trade Union		
EIA	Adam Carney	16/09/2024

Change log:

Version number	Changes description	Major changes? Y/N	Initiator	Rationale	Date of completion	New version number
N/A	New policy for 24/26	Y	Tracey Marrow	New policy for 24/26	16/09/2024	V1

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1. INTRODUCTION

- 1.1. This Policy and Procedure sets the College's expectations of behaviour in reference to bringing prohibited items to site, being under the influence of substances on site and the protocol for searches of learners on site. It is the purpose of the Policy to promote and encourage positive and appropriate behaviours in all parts of the college and across all activities associated with the college. This is to promote a safe, inclusive and positive culture for work, learning and personal development to support learners to develop positive behaviours for work and further learning.
- 1.2. Hopwood Hall College strives to create a safe, secure and supportive college community which is trauma informed. This trauma informed approach is underpinned by our college values: integrity, nurturing, enjoyment, ambition and sustainability; and embodied by our aspiration to build a nurturing, caring ethos which permeates our college environment. We have developed this policy to ensure staff and learners are aware of the expectations of the college and to ensure that we teach learners behaviours that are appropriate within the broader community also. Whilst the Student Positive Behaviour policy and this policy will state measures we can take when instances occur we will also look to teach learners regarding potential outcomes of their behaviours both within and outside of college and offer support and appropriate referrals to those who may have problems with substance use.
- 1.3. This policy should be read in conjunction with the Positive Behaviour Support Policy, the Safeguarding and Child Protection policy, the Equality, Diversity and Inclusion policy and the Mental Health Strategy.
- 1.4. The Education Act 2011 gives the Principal and staff authorised by the Principal the statutory power to search students for any prohibited items where there are reasonable grounds for suspicion that a student is in possession of such an item. The possession of prohibited items is not condoned and there is a zero-tolerance approach for this at Hopwood Hall College.
- 1.5. The Violent Crime Reduction Act 2006 provides FE Colleges the power to carry

out consensual and non-consensual searches of students within agreed procedures. This power means FE Colleges can designate staff to screen students for weapons or substances or other items where there are reasonable grounds for suspecting possession.

- 1.6. The emphasis on any action taken when there is evidence or suspicion of a prohibited item will be de-escalation of stress and aggression with welfare of staff and students remaining the priority at the time of the search.
- 1.7. The search process will be used as a last resort if staff suspect the student is concealing prohibited items.
- 1.8. The college has the right to remove any article the member of staff reasonably suspects has been, or is likely to be, used to commit an offence, or to cause personal injury to, or damage to the property of, any person including the student themselves.
- 1.9. Under Section 139 of the Criminal Justice Act 1988 “offensive weapons” would include knives, blades, etc. The Prevention of Crime Act 1953 indicates that articles made, intended or adapted for use as a weapon are also a weapon and these will therefore also apply to this policy. Use of ‘weapons’ or sharps for religious purposes are not allowed on site unless agreed by SLT and registered with SSO/As.

2. SCOPE

- 2.1. The policy applies to all College students, whether full time or part time, classroom and work based and at all times during the year.

3. AIM

- 3.1. This policy aims to give clear guidance as to prohibited items and the college procedures for dealing with incidents of substance misuse including carrying out searches.
- 3.2. This policy aims to be trauma informed and not discriminate either directly or

indirectly against any individual on grounds of sex, race or ethnicity, sexual orientation, religion or belief, age, disability, inclusion need, gender identity, socio-economic status or any other protected characteristic. The policy will consider the learner's vulnerability and inclusion needs and the college will consider reasonable adjustments where needed.

3.3. Through this policy we aim to develop positive proactive attitudes, values and skills in the learners to equip them to make appropriate informed decisions about their personal patterns of behavior and lifestyles.

3.4. It will provide a safe and consistent approach across the College to the management of drug and alcohol related incidents and the carrying of dangerous items.

3.5. It will enable the college to provide accurate and factual information about instances of potentially harmful substances and dangerous items found on the premises or on individuals' person(s).

3.6. To provide an Early Help partnership for supporting children, young people and families with issues around the carrying or using of dangerous items and substances looking at any trends identified and targeting support and awareness raising where necessary to prevent learners from getting into difficulty.

3.7. To support the College in taking positive action in preventing the unwanted consequences of substance misuse for employees please see the relevant staff policy.

4. ROLES AND RESPONSIBILITIES

4.1. Maintaining good behaviour is the responsibility of all learners and staff and the whole college community has a duty to promote positive behaviour and attitudes to college life. We expect all members of the college community including parents and carers to be good role models for learners and others.

- 4.2. **Learners** are expected to follow the college's behaviour expectations in relation to prohibited items. Learners are expected to take responsibility for their own behaviour and the items that they choose to carry on college premises and will be made aware of the college's expectations through the college's PACE tutorials, Its Learning and social media messages.
- 4.3. **All staff** have the responsibility for ensuring the policy and procedures are followed and are consistently and fairly applied. The procedures arising from this policy promote the idea of personal responsibility and that every member of the college community has a responsibility towards the whole community. However, staff should recognise that not all behaviour is a matter of choice and that reasonable adjustments must be made for all learners who are vulnerable.
- 4.4. **All staff** have the responsibility of reporting incidents swiftly where they have reason to believe that a learner may be carrying a dangerous or prohibited item or be under the influence of a substance. They must do this by phone or radio to the Student Safety Team initially then follow this up with a formal Incident Report which is available on the college HUB.
- 4.5. **Progress Tutors** through the PACE tutorial program will inform learners of the college code of conduct relating to the carrying of prohibited items on site and the likely repercussions for this in college and with police where necessary. They will look at long-term effects such behaviour could have on life choices (travel/work etc.). Any concerns regarding learners will be passed onto the appropriate member of the **Safeguarding and Wellbeing Team**.
- 4.6. **The Student Safety Team** will be responsible for conducting and/or coordinating searches on learners and recording searches on a centralised search log to identify any trends/assess demographic information. They will inform parent/carers when any searches have been carried out and the reasoning for the search as well as if the search was positive or negative and any likely next steps. They will log all conversations on learner's ILPs to ensure an accurate record informing relevant internal staff.

4.7. The Safeguarding and Wellbeing Team will listen to and mentor vulnerable learners and put in place supportive interventions to prevent learners from feeling as though they can or need to carry any dangerous or prohibited item. The Safeguarding and Wellbeing Team includes the Pastoral Welfare Mentors, Behaviour Support Mentors, Safeguarding Officers, Attendance Coaches and the college Counsellor. The team will also work with outside agencies if relevant and make referrals where needed to further educate learners on the dangers of using or carrying substances and the carrying of prohibited items and/or weapons. They will be responsible for informing the parent/carer of any learners on their caseloads or classified as vulnerable if they are found with a prohibited item or suspected to be carrying one. They will also inform any key agencies involved with a learner when they are searched, the reasoning behind this and if the search was positive or negative along with any other concerns and potential outcomes. They will complete new referrals into external agencies if a learner would like support with substance use.

4.8. Safeguarding Officers will complete referrals into GMP, the Rochdale Weapons Protocol and/or Children's Social Care where appropriate to advise them of any concerns regarding weapons, substances or other prohibited items and liaise with them in coming weeks and months for any continued work that will be carried out with learners.

4.9. Programme Managers (PM) and Centre Directors (CD) have overall responsibility for learners in their departments and are responsible for ensuring College messages are effectively communicated and where required, the Behaviour Support Policy is followed. They are also responsible to ensuring due regard and care for learners, ensuring that all staff in their areas apply trauma informed principles and support staff and learners to achieve a positive outcome. They will formally suspend learners where necessary informing their parent/carers of this and arranging any relevant subsequent meetings to discuss this incident and/or a timeframe for the investigation.

4.10. The Student Behaviour Lead will oversee the reporting of all incidents and ensure that all relevant internal professionals are appraised of incidents. They will advise Programme Managers, Assistant Principals and Centre

Directors of appropriate action to ensure a consistent approach across departments. They will consider each learner's current circumstances, past trauma and previous involvement in incidents when discussions take place and ensure appropriate pastoral or Safeguarding are involved in conversations regarding the incident to ensure a trauma informed approach. They will chair SLT pre-panel meetings, where appropriate, gathering evidence from all relevant professionals and request formal SLT panel meetings where necessary. Preparing reports and all supplementary information prior to each meeting. They will ensure managers and SLT receive timely updates on behaviour including prohibited items; including those suspected as well as seized, those referred to external agencies such as police and any sanctions that resulted from these incidents.

4.11. **The Behaviour Lead or a Behaviour Support Mentor (BSM)** will attend any SLT Panel Meetings to ensure support is offered to every learner involved in incidents of this nature and to ensure all meetings are accessible for the learner involved. They will follow up with further support outside of the meeting and any relevant internal or external referrals for support.

4.12. **The Head of Safeguarding**, together with the **Behaviour Lead, Student and College Services Manager and the Student Safety Officer** are responsible for the day-to-day implementation of the policy and have day-to-day responsibility for the management of this Policy. They will ensure the policy is consistently and fairly applied and that a trauma informed approach is taken when behavioural expectations are not met.

4.13. **The Senior Leadership Team** will ensure relevant search training is available to appropriate staff and that all training offered is in line with the college's trauma informed approach. They will chair formal SLT panel meetings where a learner(s) behaviour falls outside of the expected standards in relation to carrying prohibited items. They will ensure an appropriate outcome(s) are reached and signpost to Behaviour Support or Pastoral Support if and when required. The SLT Lead for Behaviour is **Executive Director, Business and Student Support**.

- 4.14. **The Principal and CEO** has overall responsibility for ensuring a safe working environment and that the principles of the policy are adhered to.
- 4.15. The role of the **Corporation** is to review the policy for the promotion of positive behaviour and ensure that the college teams ensure high expectations are maintained and that the policy is applied fairly and consistently.
- 4.16. **Parent/carers** and work with external agencies should support the college policy and reinforce the college positive behaviour expectations for all learners.

5. GROUNDS FOR SEARCHES AND PROCEDURES

5.1. Learners may be searched for items as below:

5.1.1. **Illegal and Controlled Substances including paraphernalia**

- 5.1.1.1. This will include Class A, B, and C drugs that it is illegal to possess, supply or use e.g. Heroin, Ecstasy, LSD, Amphetamines, Cocaine, Cannabis, etc.
- 5.1.1.2. Medication that it is legal to obtain as a prescribed medicine, but have the potential to cause harm if misused or obtained illegally.
- 5.1.1.3. Substances that it is legal to possess, supply or use (depending upon age) e.g. Tobacco, Alcohol, Vapes and e-cigarettes, Volatile Substances (Glue, Solvents etc.)
- 5.1.1.4. Novel Psychoactive Substances (NPSs/formerly legal highs) which are illegal to supply under the Psychoactive Substances Act 2016.
- 5.1.1.5. Drug related paraphernalia to include but not exhaustive to snap bags, grinders, bongs, stash jars/containers, needles, nitrous oxide cannisters, balloons or similar items that could be linked to the use of drugs (possession/consumption/supply).

5.1.2. **Weapons (including credible threat)**

- 5.1.2.1. Any items, whether bought, obtained or crafted, that is sharp enough to pierce skin/cause significant harm to self or others when used.
- 5.1.2.2. A search is a systematic procedure for finding. We search not to

find, but to prove that there is no threat present and potentially we deter, we reduce risk, and we remove the threat.

5.1.2.3. If we have credible information and/or intelligence that a learner is carrying an offensive weapon with the intent to use it on a staff member or learner SSO/Behaviour lead ensure 999 is called for immediate action and police advice.

5.1.2.4. College Lockdown Procedure (Appendix TBC) to be initiated if appropriate. Either emergency response/ an evacuation or a full site lockdown depending whether the threat is internal or external and the police advice.

5.2. **All staff** have the right to request a search of a person(s) where they have reasonable grounds for suspecting a student may have a prohibited item.

Reasonable Grounds suspicion is the lawful justification to conduct a reactive search, defined as a 'very real suspicion of imminent danger'.

5.3. **Trained staff** have the right to carry out a reactive search if there are reasonable grounds to do so. Staff will need to ensure that all searches are reasonable, proportionate and justified in relation to the perceived risk.

5.4. The College will train staff through Intelligensa Positive Handling and Physical Intervention techniques alongside Safer Search Training, a Violence Reduction Unit training initiative for schools and further education colleges. This will explain having Reasonable grounds to conduct a search and how to carry this out appropriately. Searches will either involve emptying belongings or using a hand-held metal detector. If the metal detector is to be used this should be a **Student Safety Officer/Assistant** conducting the search. All members from the Student Safety Team will be SIA Trained and qualified as a Level 2 Door supervisor and a CCTV Operator.

6. PROACTIVE SEARCHES

6.1. Proactive searches can be conducted as a result of previous concerns within the college of carrying prohibited items and/or prior to a learner starting their course(s) here. This will be identified on CPOMS and Confidential comments

added on the learner's ILP. Any learner who needs to be go through a proactive search needs to consent and sign a proactive search agreement before any proactive search is conducted (see Appendix).

- 6.2. Prior to search the searching staff must ensure it is safe to do so. Where a searcher believes it is unsafe to search or is subsequently unsure as whether it is safe to continue to search the search should cease at this point with the student remaining under observation while advice is sought. CCTV may be checked at this time also in order to ensure the safety of all learners and staff and gather evidence.
- 6.3. The 'searcher' should use their professional judgement and avoid using any force in relation to a search. If a 'searcher' has doubts, or if it becomes clear that force will be needed, the search should cease at this point with the student remaining under observation while advice is sought.
- 6.4. The search process will only be carried out if there are reasonable grounds to do so. Proactive Searches will also be conducted if they form part of an agreed Proactive Search Agreement that has been identified on CPOMS or confidential comments and added on the learner's ILP.

7. THE SEARCH PROCESS

- 7.1. The search process will always be conducted by two members of staff. The person conducting the search must be the same gender as the student or the gender that they identify as.
- 7.2. The learner's ILP will be checked prior to any organised search to ensure that the process involves appropriate staff who are aware of the learner's background and any previous and/or ongoing concerns.
- 7.3. The process will be clearly explained to the learner prior to implementing the search and the reasons for it explained. A staff member must ask for consent before conducting the search and explain the reason for the search.

- 7.4. The learner will be asked if they have anything sharp on their person or in their belongings or anything that is a prohibited item in college prior to the search. If they admit to this they should remove the item(s).
- 7.5. One member of staff wearing appropriate PPE where necessary will conduct the search while the other talks the student through the search process, puts them at ease, monitors the learner's behaviour and the other member of staff's actions.
- 7.6. The student must not be asked to remove any clothing other than outer clothing, for example hats, shoes, boots, gloves, scarves, coats and pullovers. Clothing directly next to the skin should not be removed.
- 7.7. The student's belongings (e.g. bags or backpacks) will also be searched. Staff will ask the learner to empty these with the member of staff then checking through items removed and checking for items left behind in pockets/compartments.
- 7.8. A student does not have the right to be accompanied by another student, however a student with learning difficulties or where gender and/or cultural issues are concerned may be accompanied by a Pastoral Welfare Mentor (PWM) or member of Learning Support staff or a staff member they feel comfortable with.
- 7.9. A list of trained staff is available from the Staff Search Training log which can be accessed by the Student Safety Team Leader and the Behaviour Lead.**
- 7.10. After the search has been conducted a learner's parent/carer (if under 18 or under 25 and with an EHCP) must be informed regardless of what (if anything) is found. Any other professional(s) involved with the learner's day to day life must also be informed.
- 7.11. Promonitor must also be updated including the following for all learners involved:

- 7.11.1. Brief overview of incident including quotations of direct speech (foul language etc.).
- 7.11.2. Names and/or student ID numbers of all involved.
- 7.11.3. First response/action taken at scene.
- 7.11.4. Substances or prohibited item(s) found and quantity (or nothing found)
- 7.11.5. Incident report completed where prohibited item(s) found.
- 7.11.6. People informed of the search (SSO/SSAs/CDs/PMs/PWMs/SOs and Attendance Coaches, also Social Workers, parent/carers Local Authority and Police)
- 7.11.7. Action taken by PM/CD (e.g. learner suspended, statements taken)
- 7.11.8. A final outcome will be updated on the learner's ILP overseen by the college **Behaviour Lead** when a decision has been made, for example – 'no further action'/'verbal warning'/'written warning'/'police'/'exclusion'.

7.12. **Informing Parent/Carer.**

- 7.12.1. Learners who are 16-18 and up to 25 if EHCP:
 - 7.12.1.1. **Negative** search - SSO/As will inform all learner's parent/carers of the search carried out including the reasoning for this, what type of search was conducted.
 - 7.12.1.2. **Positive** search – parent/carers will be informed by the Program Manager if a period of suspension is required (see 7.13), or a member of the Safeguarding and Wellbeing Team, who will also inform any services or agencies involved with the learner at that time. If a learner has an EHCP then a member of Learning Support may be best placed to do this.

7.13. The learner's Programme Manager or Centre Director will make the decision as to whether the learner(s) will be suspended from the college and if so, inform their parent/carers (if under 18 or under 25 if the learner(s) have an EHCP).

7.14. The staff who have searched the learner must pass all information to the SSO/SSAs who will complete the search log and any suspended student's ID

badges will be held in locked drawers if they are suspended.

7.15. **SSO/SSAs** or the **Behaviour Lead** will photograph items on a work phone and book any prohibited items found into the safe held in facilities.

7.16. The **Behaviour Lead/SSO** will inform GMP of any incidents involving dangerous items or drugs and liaise with police if required and will request an officer from GMP to come to site to collect any items if required.

7.17. **Program Managers and Centre Directors** will decide whether the incident will progress to a SLT panel hearing or remain within the vocational areas for an outcome with guidance from the **Behaviour Lead**. If an incident remains 'in area' they will arrange and attend a meeting with the student(s) involved and their next of kin (if under 18 or under 25 if they have an EHCP) inviting any other relevant staff and a summary and outcome of the meeting will be recorded on the learner(s) ILP and all parties informed.

8. WHERE SEARCHES CAN BE CONDUCTED

8.1. Searches should be conducted in a confidential space. The student's dignity and privacy should be maintained at all times.

8.2. There will always be two members of staff present.

8.3. Searches can be carried out anywhere else the member of staff has lawful control or charge of the student, for example residential trips.

8.4. Any goods or articles over which the student appears to have control of, for example car, bike or bag can be legitimately searched.

8.5. Staff should act at all times in the **best interest** of the learner.

9. REASONABLE FORCE

9.1. In extreme circumstances the student may react aggressively by hitting or kicking out. At this point the search must be stopped and the student immediately suspended by

their Programme Manager or Centre Director pending an investigation. SSO/SSAs should be present to escort the student off the premises or into an appropriate waiting vehicle. Staff who witnessed the incident should complete an incident report accessed on the HUB.

9.2. If it is believed a student is in possession of an offensive weapon and that they intend to do harm to another student or member of staff reasonable force may be used until either the student hands over the item, it is discovered by staff or police arrive if they have been alerted.

9.3. Student should provide a statement before leaving the campus, however if there is a risk as outlined above then it can be obtained at a later day by telephone. Statements are taken by Student Safety Officer, Behaviour Lead or Behaviour Support Mentor.

10. SEARCHES WITHOUT CONSENT

10.1. The statutory power applies where there are reasonable grounds for suspecting a student has an offensive weapon, illegal substance or stolen property in their possession.

10.2. The power to search also applies where there are reasonable grounds to suspect a student is in innocent possession of a weapon or illegal substance.

10.3. The College will only use the power of a “without consent” search when all other options have been exhausted, these include:

10.3.1. Comprehensive questioning prior to any search

10.3.2. Where a student confirms the suspicion that a weapon/substance is being carried, the staff member should try to persuade the student to surrender the item.

10.3.3. Asking the student to consent to the search.

10.3.4. Asking other staff (who may have a more trusting relationship with the learner) to address the learner

10.3.5. Showing the learner, a video of an appropriate search

10.4. The student should be informed that the College has the right to carry out a search and the request for the student to comply be made again.

10.5. 10.5 Students who refuse a search when staff believe or have evidence that they are carrying something dangerous or prohibited will be sent home with parent/carer informed to collect. They will be made aware that they will still progress through the process outlined in the Behaviour Support Policy as we have reasonable believe that they have something on their person that could be against college policy and/or dangerous to themselves and others and have not satisfied us to the contrary through refusing the search. In addition, the **Behaviour Lead** will invoke ***Rochdale Weapons Protocol*** and refer via the *Single Point of Contact Request*. In cases where concerns are escalating and/or previous work has been completed, Behaviour Lead can refer to *Youth Engagement Panel*.

11. SPECIAL CONSIDERATIONS

11.1. Under article 8 of the European Convention on Human Rights students have a right to respect for their private life. In the context of these particular powers, this means that students have the right to expect a reasonable level of personal privacy.

11.2. **The right under Article 8 is not absolute, it can be interfered with but any interference with this right by a school (or any public body) must be justified and proportionate.**

11.3. Students with additional needs may not have the capacity to consent. Staff should remain calm and consult the student's tutor, PWO, next of kin and/or Learning Support Staff. A video of an appropriate search can be shown to learners with learning support needs or any learners who are unsure of a search or refusing to comply to assist with understanding of the process.

11.4. Students wearing religious dress may also be accompanied by their tutor or PWO and where possible a person that they feel comfortable with to a private area. This will be decided based on their cultural identity and any preferences. They may be asked to remove this item, provided it is outerwear, in order for us

to ensure no items are concealed within it and to ensure their own and others' safety.

- 11.5. After a search witness statements will be taken by Student Safety Office, Behaviour Lead or Behaviour Support Mentor from the learner found with the item/suspected of carrying a prohibited item and anyone else in the vicinity including learners, staff or visitors. CCTV will be checked by the Student Safety Team to try and identify the item or proof that an item may be or have been carried. CCTV will be saved for relevant staff in line with Behaviour Support Policy process and police if required.

12. MONITORING AND EVALUATION

The oversight and monitoring of this policy will be seen through the incident process and the SCS and Safeguarding and Wellbeing Teams. The policy will be updated annually or sooner if required in line with government guidance and best practice.

13. DOCUMENTS ASSOCIATED WITH THIS POLICY

- 13.1. Search Log
- 13.2. Confiscation Log
- 13.3. Staff Search training Log
- 13.4. Proactive Search Agreement
- 13.5. Incident Reporting Log
- 13.6. CCTV Access Log
- 13.7. Safeguarding and Child Protection Policy
- 13.8. Positive Behaviour Support Policy
- 13.9. Staff Professional Guidelines
- 13.10. College Lockdown Procedure (TBC)
- 13.11. Weapons Protocol Rochdale 2023
- 13.12. Child Centered Policing - When To Call The Police Guidance
- 13.13. Knife Crime and Youth Violence Protocol for Education July 2020

If this document is required in an alternative format, please contact equiries@hopwood.ac.uk

14. APPENDIX – COLLEGE LOCKDOWN PROCEDURE

TBC