



## School Policies

Policy title	<b>Search policy</b>				
Written on	March/April 2011	Reviewed on	April 2017	Next review due	April 2018
SLT link	R.Hill		Governor link	Behaviour and Safety Sub committee	

Copies in	Policies folder ✓	Handbook ✓	Student planner	Website ✓
-----------	-------------------	------------	-----------------	-----------

**This policy has been written in conjunction with the college's Equality policy (Equality Act 2010) and Behaviour and Discipline in school (Advise for head teachers and school staff) DFE January 2016**

There are occasions when it might be necessary to determine whether or not a student is in possession of a substance or object which might be harmful to themselves or others, illegal or which has been obtained in an unlawful manner. In such circumstances this search policy may be applied.

This policy supports the colleges Behaviour Management and Physical Intervention policies, and in particular, the policy on offensive weapons. It has been introduced primarily in order to safeguard students, but also to protect staff and visitors to the college.

The policy is based on advice and guidance on powers available to head teachers and their staff conferred by several pieces of legislation, including the Education and Inspections Act 2006, the Violent Crime Reduction Act 2006 and the Criminal Justice Act 1988.

At Crown Hills community college screening and searches are carried out by the Behaviour support team, the Principal or other senior members of staff who have been authorised by the Principal to do so. There will always be at least two members of staff present, with at least one being of the same gender as the student.

When a student is screened or searched their parents or carer shall be informed as soon as possible afterwards. A log of all screenings and searches is kept in Behaviour Support. Being found in possession of an illegal object could mean fixed period or permanent exclusion from the college. In some circumstances the police might also be contacted.

### **No-contact or Low-contact Screening**

The college can require students to undergo random screening for weapons without suspicion and without consent. For this purpose the college uses a hand-held metal detector (wand) which is a "no-contact" or "low-contact" (minimal contact of the wand with the student's clothes). The college might use occasional screening of randomly selected students while on the premises, for example, a class or year group.

Where a student refuses to be screened, the college may refuse to have the student on the premises or on an off-site educational visit. Although the college will not have excluded the student, the absence will be treated as unauthorised. Any refusal to attend school shall be investigated by the education welfare officer in the same way as any other unauthorised absence.

### **Without-consent Search**

The statutory power to search applies where there are reasonable grounds for suspecting that a student has in their possessions any of the following:

- Knives and weapons
- Alcohol
- Illegal drugs
- Stolen items
- Tobacco and cigarette papers
- Fireworks
- Pornographic images
- Any article that is likely to be used to commit an offence, cause personal injury or damage to property



- Any items banned by the school rules which have been identified
- See also **E safety policy** re searching any electronic content of electronic devices

The power includes a power to search where there are reasonable grounds to suspect that a student is in innocent possession of a weapon. The power does not allow without-suspicion. Only a personal search, involving removal of outer clothing and searching of pockets can be carried out. An intimate search can only be carried out by a person with more extensive powers, such as a police officer.

The power also includes a power to search where there are reasonable grounds to suspect that a student is in possession of alcohol, illegal drugs, contraband and stolen items.'

The power to search shall only be used where staff judge that it is safe to do so. In particular, if members of staff believe that a student is likely to resist a search physically, they should call the police rather than try to overcome the student.

## Monitoring, Evaluation and Review

The Principal and Governing Body have a statutory responsibility for college behaviour, discipline and safety. The policy will be promoted and implemented throughout the school. The policy along with other school policies will be available on the school website. The Governing Body will review the policy annually and assess its implementation and effectiveness

This policy is supported by the college **Behaviour Policy**

*'Punishing a whole group because of the behaviour of one or some students is to be avoided, except where investigations are being carried out (e.g. in the case of theft) or where there is clear evidence that a whole group is to blame.'*

The college guidance on **Valuables and cash**

*'In the event of a suspected theft or loss involving cash, valuables, keys or any other property, stop the activity of the moment, do not dismiss a class containing suspected culprits or possible witnesses, get a message to the BSW/On-call person immediately and await the arrival of assistance.'*

And

**Behaviour and Discipline in school (Advise for head teachers and school staff) DFE January 2016 as below**

## Confiscation of inappropriate items

### What the law allows:

35. There are two sets of legal provisions which enable school staff to confiscate items from pupils:

1) The **general power to discipline** (as described in the bullets under the heading "Discipline in Schools – Teachers' Powers" on pages 3 and 4) enables a member of staff to confiscate, retain or dispose of a pupil's property as a punishment, so long as it is reasonable in the circumstances. The law protects them from liability for damage to, or loss of, any confiscated items provided they have acted lawfully. The legislation does not describe what must be done with the confiscated item and the school behaviour policy may set this out; and

2) **Power to search without consent** for "prohibited items", including:

- knives and weapons
- alcohol
- illegal drugs
- stolen items
- tobacco and cigarette papers
- fireworks
- pornographic images



- any article that has been or is likely to be used to commit an offence , cause personal injury or damage to property; and
- any item banned by the school rules which has been identified in the rules as an item which may be searched for.

The legislation sets out what must be done with prohibited items found as a result of a search.

36. Weapons and knives and extreme or child pornography must always be handed over to the police, otherwise it is for the teacher to decide if and when to return a confiscated item.

37. More detailed advice on confiscation and what must be done with prohibited items found as a result of a search is provided in 'Screening, Searching and Confiscation – advice for head teachers, staff and governing bodies'.

## 12 Power to use reasonable force

38. Members of staff have the power to use reasonable force to prevent pupils committing an offence, injuring themselves or others, or damaging property, and to maintain good order and discipline in the classroom.

39. Head teachers and authorised school staff may also use such force as is reasonable given the circumstances when conducting a search without consent for knives or weapons, alcohol, illegal drugs, stolen items, tobacco and cigarette papers, fireworks, pornographic images or articles that have been or could be used to commit an offence or cause harm.

40. Schools can also identify additional items in their school rules which may be searched for without consent. Force **cannot** be used to search for these items.

41. Separate advice is available in 'Use of Reasonable Force – advice for school leaders, staff and governing bodies'.