



# GUILDFORD HIGH SCHOOL



## 6-16 Policy for Searching Pupils and their Possessions

### Policy

Guildford High School is committed to ensuring the safety of all members of the school community and of visitors to the school. The school is also committed to the proper implementation of its Care and Consideration (Anti-Bullying) Policy and to its Behaviour and Discipline Policy. Staff may therefore on rare occasions have to undertake a search of a pupil's possessions to check for stolen property, banned substances or dangerous objects.

In the unusual event of a pupil's possessions or person being subject to a search, the school will take all reasonable steps to carry this out in a manner which respects the pupil's privacy, dignity and welfare. Any such searches must always be viewed as a last resort, when other methods of investigation and communication have failed. The school only has statutory power to undertake a search of a pupil or their possessions if there is reasonable ground to believe that the pupil may be carrying a dangerous or banned substance or object e.g. a weapon or illegal drug, or any other item which might pose a serious risk to the safety of that pupil and/or others.

It is hoped that in the great majority of instances, there would be no need for a search to be carried out. The school's guidance in this matter is that any search without consent should be undertaken only if absolutely necessary, such as in extreme situations where leaving a pupil with such a suspected item could pose risks to others (or to that pupil).

Any searches of a pupil's own person or of their possessions must be carried out with due consideration for the pupil's personal dignity, health and safety, the school's Child Protection policy, United Learning staff-pupil relations guidance, and the school's own Equal Opportunities Policy.

This policy applies to all members of the school, including those in our EYFS setting. The policy is reviewed annually, or as events or legislation require, by the Headmistress. The next date for review is October 2017. This policy is made available to any interested parties in hard copy from Reception, via Claire Payne. The policy should be read in conjunction with:

- Equal Opportunities Policy
- Behaviour and Discipline Policy
- Care and Consideration: Anti-Bullying Policy
- Exclusion, Expulsion, Removal and Review Policy
- Physical Restraint Policy
- Child Protection Policy
- Drugs, Alcohol and Smoking Policy
- UCST staff-student relations letter

Guildford High School is fully committed to ensuring that the implementation of this policy is non-discriminatory, in line with the UK Equality Act (2010). Further details are available in the school's Equal Opportunities Policy.

### Key Points

- School staff have the statutory power to search a pupil or their possessions for any item banned under the school rules or detrimental to school discipline, **with the pupil's consent**. However, the school's advice is that searches of a pupil's own person are to be avoided. A pupil may be threatened with temporary exclusion or permanent expulsion if they refuse to allow their possessions to be searched or to turn out the content of their pockets or remove outer clothing for inspection by staff.
- Headteachers and staff authorised by them have a statutory power to search pupils or their possessions, without consent, where they suspect the pupil has certain prohibited items. The items that can be searched for under this power are knives or weapons, alcohol, illegal drugs and stolen items. Again, searching a pupil, especially without their consent should be seen as a last resort. In the case of such items, it would be preferable for police to be called in who would carry out a search of the pupil for illegal items. Staff should only search a pupil themselves if the pupil refuses to turn out the contents of their pockets or remove outer garments for inspection in situations where not searching the pupil might lead to injury of the pupil or a third party.
- School staff can seize any banned or prohibited item found as a result of a search or which they consider harmful or detrimental to school discipline.

### Procedures

If staff have reason to believe that a pupil may be in possession of a dangerous, illegal or stolen item, they should view a search of the pupil or their possessions as the last resort after other methods have failed to establish the facts. Staff should aim to persuade the pupil to hand over the object or substance voluntarily, e.g. by turning out the contents of their bag or their pockets. If the pupil refuses, staff should ask for the pupil's consent to search their possessions, or the pupil themselves, if necessary. If the pupil refuses their consent, staff may still proceed with the search but should warn the pupil beforehand that this is what they intend to do.

Searches of a pupil's own person or their possessions **must** be carried out by a female member of staff. The member of staff carrying out the search should, ideally, be a senior member of staff e.g. HoY or a member of SMT. They should always have another member of staff present, another female member of staff.

### Situations in which it may be justifiable to carry out a search of a pupil or their possessions:

- If there is reasonable ground to believe that a pupil may have stolen property from another member of the school community, or has in their possession items banned by school rules, or which are detrimental to the discipline of the school, staff may search a pupil or their possessions **with the pupil's consent**.
- If there is reasonable ground to believe that a pupil may be in possession of a dangerous or banned object or item, staff have the power to search the pupil or their possessions **without the pupil's consent**. The items that can be searched for under statutory power are knives or weapons, alcohol, illegal drugs and stolen items.

### **What constitutes reasonable grounds?**

This might be witness reports from other pupils or staff, threats from the pupil concerned, or CCTV footage. Staff should never undertake a search of a pupil or their possessions on scanty evidence.

### **Procedures for carrying out a search of a pupil or their possessions:**

*Before carrying out a search staff must:*

- Establish on what grounds a search must be carried out. This should always be viewed as a last resort and the consent of the pupil must always be sought. *Staff only have the power to search a pupil or their possessions without the pupil's consent if they have reasonable grounds to believe that a pupil is in possession of illegal drugs or alcohol, knives and weapons or stolen items.*
- Speak to a member of SMT, ideally the Headmistress, beforehand, but there may be situations in which it is more important to act quickly.
- Ensure that whilst waiting for a search to be undertaken, the pupil is kept safe from harming themselves or others and in a suitable location, with appropriate supervision (at least 2 members of staff).

The Headmistress/SMT will decide on the appropriate course of action and *who* will carry out any searches. Only **female** members of staff may carry out searches and another female member of staff must be present. The only circumstances in which a male member of staff could be involved would be on a school trip where insufficient numbers of female staff were present, and they could only be used to assist with a search of possessions, not of a pupil's own person. Staff have the right to refuse to undertake a search if they would feel uncomfortable doing so.

If the pupil is believed to have a dangerous or illegal substance, the police will be contacted by SMT.

### **Procedures for carrying out a search of a pupil's possessions:**

- Seek consent first from the pupil. If this is not given, staff must tell the pupil that they have to search them and what they will need to do.
- The pupil should, ideally, empty their bags or lockers themselves in front of the members of staff present. The members of staff can then check that the bag or locker has been properly emptied. If a pupil refuses to do this and refuses consent for staff to search their possessions, staff can proceed with a search if they believe the pupil to have illegal or dangerous items in their possession.
- If undertaking a search in a cloakroom or any other public space, members of staff should ensure the privacy of the pupil by carrying out the search discreetly.

### **Procedures for carrying out a search of a pupil's own person**

- Seek consent first from the pupil. If this is not given, staff must tell the pupil that they have to search them and what they will need to do.
- Pupils can be asked to turn out their pockets and to remove outer clothing e.g. coats, sweaters, hats, gloves, scarves and shoes. Members of staff also have the power to remove these items themselves.
- A pupil must always be searched by a female member of staff, with another female member of staff present.
- A pupil may only ever be searched on school premises or on a school trip where staff have legal responsibility for the pupil.

- Staff can refuse to undertake a search if they do not feel comfortable doing this.

#### **What to do with banned, illegal, dangerous or stolen items found**

- These should be confiscated by the member of staff conducting the search and given to the relevant authority. In the case of stolen items, this would be the HoY who would then return the items to the rightful owner. In some cases, however, the items might have to be retained for policy inspection.
- In the case of alcohol or cigarettes, these should be disposed of safely.
- In the case of illegal drugs or weapons, these should be handed over to the police to be destroyed.
- A log must be made by the member of staff that they have found these items and that they have been suitably disposed of. They should date and sign this note and pass it on to the Headmistress for the Record of Sanctions file.

#### **Disciplinary Sanctions**

Appropriate sanctions will be taken if the pupil is found to have banned, stolen, illegal or dangerous items in their possession. The school's Behaviour and Discipline policy will apply and, if applicable, the Exclusions, Expulsion, Removal and Review Policy. The police may also decide to take action if the items concerned were illegal, stolen or dangerous.