

# Student Search Policy



## The Cottesloe School

<b>Policy Type:</b>	Non Statutory
<b>Reviewed by:</b>	Richard Henry (Assistant Headteacher - Student Character) and Carolyn Stirk (Policies Governor) – 12 June 2023
<b>Approved by:</b>	TLA Committee – 20 June 2023
<b>Last reviewed:</b>	New policy
<b>Next review:</b>	Summer Term 2025

### 1. Aims

The aim of this document is to provide guidance when a search of a student or their possessions is required. It aims to support all parties involved to ensure the safety and welfare of students and staff.

### 2. Legislation and guidance

Education Act 1996

Searching, screening and confiscation – July 2022

Keeping children safe in education – September 2022

<https://www.gov.uk/school-discipline-exclusions/searches>

Education and Inspection Acts 2006

### 3. Introduction

“Ensuring school staff and students feel safe and secure is vital to establishing calm and supportive environments conducive to learning. Using searching, screening and confiscation powers appropriately is an important way to ensure pupil and staff welfare is protected and helps schools establish an environment where everyone is safe” (SSC guidance 2022)

“Schools and their staff are an important part of the wider safeguarding system for children. This system is described in the statutory guidance Working together to safeguard children.”

Keeping children safe in education makes clear that all school staff have a responsibility to provide a safe environment in which students can learn". (SSC guidance 2022)

Searching can play a critical role in ensuring that schools are safe environments for all students and staff. It is a vital measure to safeguard and promote staff and student welfare, and to maintain high standards of behaviour through which students can learn and thrive. Searches are used to ensure the safety and wellbeing of the Cottesloe community.

Any search will be completed away from communal areas, public viewing and in a suitable location. Searches will, wherever possible be done with the consent of the student, with clear aims, expectations and support available being shared.

#### 4. **Consent**

Searches are used to ensure the safety and wellbeing of the Cottesloe community.

The school and staff will always aim to complete a search with the consent of a student. DfE guidance states that "The authorised member of staff should always seek the co-operation of the student before conducting a search". Searching, Screening and Confiscation - GOV.UK

However, the school does not need consent to search a student if they think the student has a prohibited item, including (but not limited to):

- Knives or weapons (of any kind)
- Alcohol
- Illegal drugs
- Stolen items
- Any article that the member of staff reasonably suspects has been, or is likely to be used:
  - To commit an offence
  - To cause personal injury to, or damage to property of, any person (including the student).
- An article specified in regulations:
  - Pornographic images
  - Anything that has been, or is likely to be, used to cause injury or commit an offence
  - Anything banned in the school rules (refer to the Behaviour policy)

Any prohibited items (see above list for examples) found during searches will be held by the school until they can be passed to the relevant parties. Items will be stored in a secure location.

If a student refuses to engage with a search, parents/carers will be contacted and the student will be removed from circulation until the search is completed and/or sanctions actioned.

#### 5. **Requirements of a search**

"Headteachers and staff they authorise have a statutory power to search a student or their possessions where they have reasonable grounds to suspect that the student may have a prohibited item" Searching, Screening and Confiscation - GOV.UK

If there is a risk of harm to a person if the search is not conducted immediately, a child may be searched by a person of the opposite sex and without another member of staff present.

The Department for Education states that “When exercising their powers, schools must consider the age and needs of students being searched or screened. This includes the individual needs or learning difficulties of students with Special Educational Needs (SEN) and making reasonable adjustments that may be required where a student has a disability.” Schools should consider this guidance when considering the use of a search as an intervention strategy. [Searching, Screening and Confiscation - GOV.UK](#)

## 6. **Searching a student**

Searches will be non-intrusive.

Any search will be completed away from communal areas and in a suitable location.

Searches will only be carried out by a member of staff who has been authorised to do so by the Headteacher, or by the Headteacher themselves.

Subject to the exception below, the authorised member of staff carrying out the search will be of the same sex as the student, and there will be another member of staff present as a witness to the search.

An authorised member of staff of a different sex to the student can carry out a search without another member of staff as a witness if:

- The authorised member of staff carrying out the search reasonably believes there is risk that serious harm will be caused to a person if the search is not carried out as a matter of urgency; and
- In the time available, it is not reasonably practicable for the search to be carried out by a member of staff who is the same sex as the student; or
- It is not reasonably practicable for the search to be carried out in the presence of another member of staff.

When an authorised member of staff conducts a search without a witness they should immediately report this to a member of the Senior Leadership Team (SLT) or safeguarding team, and ensure a written record of the search is kept on the school’s safeguarding reporting system.

If the authorised member of staff considers a search to be necessary but is not required urgently, they will seek the advice of the Headteacher, SLT, designated safeguarding lead (DSL) or pastoral member of staff who may have more information about the student. During this time the student will be supervised and kept away from other students.

A search can be carried out if the authorised member of staff has reasonable grounds for suspecting that the student is in possession of a prohibited item or any item identified in the school rules for which a search can be made, or if the student has agreed.

An appropriate location for the search will be found. Where possible, this will be away from other students. The search will only take place on the school premises or where the member of staff has lawful control or charge of the student, for example on a school trip.

Before carrying out a search the authorised member of staff will:

- Assess whether there is an urgent need for a search
- Assess whether not doing the search would put other students or staff at risk
- Consider whether the search would pose a safeguarding risk to the student
- Explain to the student why they are being searched
- Explain to the student what a search entails – e.g. I will ask you to turn out your pockets and remove your scarf, coat.
- Explain how and where the search will be carried out
- Give the student the opportunity to ask questions
- Seek the student's co-operation

If the student refuses to agree to a search, the member of staff can give an appropriate behaviour sanction. If they still refuse to cooperate, the member of staff will contact the Headteacher / designated safeguarding lead or pastoral lead to try and determine why the student is refusing to comply. Parents/carers should be contacted and invited into school (where appropriate) to support the search. The student will remain under supervision and separate from the school community until the search has been completed or other appropriate action taken.

The authorised member of staff may use a metal detector to assist with the search. (see Use of metal detector / self-search section)

An authorised member of staff may search a student's outer clothing, pockets, possessions, desks or lockers. They will not request the removal of any clothing other than outer clothing. Outer clothing includes:

- Any item of clothing that is not worn wholly next to the skin or immediately over a garment being worn as underwear (e.g. a jumper, blazer or jacket being worn over a shirt)
- Hats, scarves, gloves, shoes, boots

## **7. Searching students' possessions**

“Possessions’ means any goods over which the student has or appears to have control - this includes desks, lockers, bags etc” [Searching, Screening and Confiscation - GOV.UK](#)

Possessions can include:

- Bags
- Lockers
- Outer items of clothing (see above for explanation of what this includes)

A student's possessions can be searched for any item if the student agrees to the search. If the student does not agree to the search, staff can still carry out a search for prohibited items.

An authorised member of staff can search a student's possessions when the student and another member of staff are present. If there is a serious risk of harm, if the search is not conducted immediately, or it is not reasonably practicable to summon another member of staff, the search can be carried out by a single authorised member of staff with or without the student in attendance.

## **8. Informing the Designated Safeguarding Lead (DSL)**

The staff member who carried out the search should inform the DSL without delay and record the search on Safeguard, including details of:

- Any incidents where the member of staff had reasonable grounds to suspect a student was in possession of a prohibited item.
- Whether they believe that a search has revealed a safeguarding risk.
- All searches for prohibited items, including incidents where no items were found.

## **9. Informing parents/carers**

Parents/carers will always be informed of any search for a prohibited item. A member of staff will tell the parents/carers as soon as is reasonably practicable:

- What happened
- What was found, if anything
- What has been confiscated, if anything
- What action the school has taken, including any sanctions that have been applied to their child

This should be done via phone call where possible and then recorded on safeguard software.

Any complaints about searching should be dealt with through the normal school complaints procedure. Details of complaints procedures can be found on the school website <https://www.cottesloe.bucks.sch.uk/>

## **10. Support after a search**

Irrespective of whether any items are found as the result of any search, the school will consider whether the student may be suffering or likely to suffer harm and whether any specific support is needed (due to the reasons for the search, the search itself, or the outcome of the search). If this is the case, staff will follow the school's safeguarding policy and speak to the DSL. The DSL will consider if pastoral support, an early help intervention or a referral to children's social care is appropriate.

## **11. Metal detectors / Use of metal detector to perform self-search**

Schools can use a metal detector to search for prohibited/banned items - they do not have to suspect that a student has a weapon. If a student refuses to go through, or be searched with, a metal detector, they can be stopped from coming into school.

Metal detector arches, handheld wands and other recognised technology is permitted to be used.

When a handheld wand is to be used the same pre-search procedure and discussions are to be used.

Where possible, the students themselves should complete the 'self-search' using the wand, under the direction of the member of staff leading the search. Staff should instruct the student in the use of the wand and monitor the thoroughness of the search. Staff should

consider the language used when instructing students in the completion of the search and referring to the student's body/areas of the body.

Where it is not possible for the student to complete a 'self-search' eg - due to SEN, disability etc, a member of staff can perform the search using a metal detector wand. A member of the senior leadership team or pastoral team will complete this search, with a search witness present.

The same post-search procedures and support should be followed to ensure support for all involved is provided.

## **12. Involvement of police and other agencies**

*As a result of any search, it may be necessary for external agencies or the police "to be involved". Where this is the most appropriate course of action, parents/carers will be informed where appropriate.*

## **13. Link to Other Policies**

Behaviour for Learning Policy  
Safeguarding and Child Protection Policy

## **14. Review**

This policy will be reviewed in two years' time.