

## Rationale:

Using searching, screening and confiscation powers appropriately is an important way to ensure student and staff welfare is protected and helps schools establish an environment where everyone is safe. Before screening or conducting a search of a student, it is vital that schools consider their obligations under the European Convention on Human Rights. Under Article 8, students have a right to respect for their private life. In the context of these rights and obligations, this means that students have the right to expect a reasonable level of personal privacy.

## Who can search and what are prohibited items?

Within Great Academies Education Trust the Principal/Headteacher determines who has the authority to search a student. At Copley Academy the Senior Leadership Team and Pastoral Team have the statutory power to search a student or their possessions where they have reasonable grounds to suspect that the student may have a prohibited item.

Reasonable grounds have a level of subjectivity. There is not a definitive list to determine reasonable grounds, however, examples could include:

- Hearing the pupil or other pupils talking about an item
- Being told that a pupil has a prohibited item
- Seeing the item
- Noticing a pupil's behaviour has changed in a way that causes you to suspect they are concealing an item.
- Seeing an item on CCTV

## Prohibited Items:

- Knives and Weapons
- Alcohol
- Illegal drugs and associated paraphernalia
- Stolen Items
- Any item that the staff member reasonably suspects has been used or is likely to be used to commit an offence or cause personal injury to, or damage property of any person (including the student)
- Tobacco, vapes and associated paraphernalia
- Fireworks
- Pornographic Images

## Before Searching: Aim to preserve a student's dignity at all times

Consider the age and needs of the student. This includes the individual needs or learning difficulties of students with SEN and making reasonable adjustments that may be required if a student has a disability.

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The member of staff should make an assessment of how urgent the need for a search is and should consider the risk to other students and staff.

The member of staff should always explain to the student why they are being searched, how and where the search is going to take place and give them the opportunity to ask any questions.

The member of staff should always seek the co-operation of the student. If the student is not willing to cooperate with the search the member of staff should consider why they student has refused. Reasons might include that they are in possession of a prohibited item, do not understand the instruction, are unaware of what a search may involve, have had a previous distressing experience of being searched.

If the student continues to refuse the member of staff should place the student in isolation and make contact with parents/carers. The student should be supervised at all times.

**During a search:**

An appropriate location should be found to search a pupil away from other students, for example an SLT or Pastoral Leader’s office that is not in public view and it must take place on school premises.

The law states that the member of staff conducting the search must be of the same sex as the student being searched. There must be another member of staff present as a witness to the search. This only exception to this is if the member of staff believes that there is a risk of harm if the search is not carried out as a matter of urgency. Where a search has taken place without a witness, the staff member conducting the search should inform another staff member as soon as possible, this is in addition to the usual reporting mechanism explained below.

Staff will be sensitive as to whether a pupil is wearing outer clothing for religious reasons when conducting a search. For example, a female pupil will not be required to remove a headscarf which is worn for religious reasons if a male witness is present.

Authorised staff can search lockers, desks and bags in the presence of the pupil and another member of staff (except in cases where there’s a risk of harm and it is not reasonably practicable to summon another member of staff).

**Extent of a search:**

Member of staff may search a student’s outer clothing, pockets, possessions or desk.

The Member of staff must not require the student to remove any clothing other than outer clothing. Outer clothing means any item of clothing that is not worn wholly next to the skin or immediately over a garment that is being worn as underwear, as well as hats, shoes, boots or scarves. Students should remove these items themselves.

The power to search does not enable the member of staff to conduct a strip search. Strip searches on school premises can only be carried out by police officers.

The decision to call the police in to assist with a search can only be made by the Principal.

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**After a search:**

If a student is found in possession of a weapon, illegal drugs or alcohol this should be reported to the Assistant Principal for Behaviour and DSL as well as the Principal. If they cannot be located, the expectation is that another member of the Senior Leadership team should be informed.

If a student is found in possession of vapes, tobacco etc refer to the Behaviour Policy. These items should not be returned to the student.

Staff should support students after a search, ensuring that they are suitably safeguarded. The pupil should have an opportunity to express their views regarding the search.

If a prohibited item is found:

- Consider it a safeguarding matter and potentially a police matter
- Involve relevant staff such as the DSL and treat the pupil as potentially vulnerable

If a prohibited item is not found:

- Take a safeguarding approach to support the pupil to cope with the experience of being searched
- Consider the wider issues that may have formed the decision to request a search in the first place.

**Recording Searches:**

All searches must be recorded on CPOMS under the Search category and the record must include the following information:

- Date, time and location of the search
- Who conducted the search and who was the witness
- Item being searched for and the reason for the search
- What items if any were found
- Follow up action taken as a consequence of the search
- If the police were informed

At each half term the DSL will run a report to analyse if searching is falling disproportionately on any particular groups of students.

**Informing Parents:**

Parents should always be informed of any search and the outcome as soon as is practicable. The Member of staff should inform what, if anything, has been confiscated and the resulting action the school has taken, including any sanctions applied.

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