



Walthamstow School For Girls

"Neglect not the gift that is in thee"

Policy Document

Searching Students Policy

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SECTION 1	OUTLINE OF POLICY
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I. INTRODUCTION

- 1.1 This Policy is designed to advise and protect both staff and students in the event of a member of staff being required to carry out a search of a student. This policy should be read in conjunction with the Schools Positive Behaviour for Learning Policy.
- 1.2 This policy has been developed in accordance with:
- DfE Guidance published in February 2018
 - Guidance from The Key in March 2022, following the case of Child Q

2. AIMS OF THE POLICY

- 2.1 To ensure that staff are familiar with the statutory power they hold to search students where they have reasonable grounds to suspect that they have in their possession something which is either illegal or banned from the school premises, in accordance with school policy.
- 2.2 To ensure that we fulfil our Safeguarding commitment as a school: that all children (and adults) have a right to be safe and protected from all forms of abuse and neglect.
- 2.3 To act in the best interests of the child.

SECTION 2	SEARCHING STUDENTS - GUIDELINES FOR STAFF
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SECTION 2: SEARCHING STUDENTS – GUIDELINES FOR STAFF

I. INTRODUCTION

We define authorised staff as: the Headteacher and staff authorised by them, such as members of SLT, members of the Safeguarding team and Student Progress Leaders, have a statutory power to search pupils or their possessions, without consent, where they have reasonable grounds for suspecting that pupils may have a prohibited item, such as:

- a weapon or any other prohibited item
- alcohol
- illegal drugs
- stolen items
- tobacco and cigarette papers
- fireworks
- pornographic images
- any article that a 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 pupil).

'Reasonable grounds' might include:

- Hearing other pupils talking about the prohibited item; or
- Noticing a pupil behaving in a way that causes staff to suspect that a prohibited item is being concealed.

Headteachers and authorised staff can also search for any item banned by the school rules which has been identified in the rules as an item which may be searched for. At WSFG, this includes mobile phones, lighters, cameras and other electronic equipment, for example.

Authorised staff can search pupils with their consent for any item.

Authorised staff can seize any prohibited item found as a result of a search. They can also seize any item, however found, which they consider harmful or detrimental to school discipline.

If school staff find an electronic device, they may examine any data or files on the device and also erase any data or files, if they have good reason to do so. The member of staff must reasonably suspect that the data or file on the device has been, or could be, used to cause harm, to disrupt teaching or break the school rules. If inappropriate material is found on the device it is up to the member of staff to decide whether they should delete that material, retain it as evidence or whether the material is of such seriousness that it requires the involvement of the police.

Authorised staff searching pupils will need to consider that, for the pupil, it could infringe upon their wellbeing and rights in several different ways. For example:

- Physical loss of privacy when clothes, bags, or possessions are searched
- Pupils feeling that they are being monitored arbitrarily or without reason
- The impact to a pupil's dignity or reputation if they are unduly searched or suspected of possessing prohibited items

Authorised staff should therefore consider whether decisions to search are both justified and proportionate. They should also be aware of any unconscious bias in relation to any differentiating characteristics, such as: race or religion; socio-economic status; friendship group.

Schools are not required to inform parents or carers before a search takes place or to seek their consent to search a child.

Schools should inform the pupil's parents or carers where alcohol, illegal drugs or potentially harmful substances are found, though there is no legal requirement to do so.

Complaints about screening or searching* should be dealt with through the normal school complaints procedure.

*See Section 2 for action to be taken in the event of a student being found in possession of prohibited or banned items.

SECTION 3	SEARCHING STUDENTS – ACTION TO BE TAKEN
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I. ACTION TO BE TAKEN

Any members of staff who are not deemed as 'authorised' please see 1.1.

1.1 Searching a student who is suspected of possessing a weapon or dangerous item

If you have a concern that a student may be in possession of a weapon, you should call for the support of a senior member of staff immediately. They will remove the student and their possessions and deal with the matter, following LA guidelines and the school's protocol for dealing with such incidents. **Do not attempt to deal with the situation or search the student yourself.**

If searching a student results in finding a banned or prohibited item, this should be escalated as a Safeguarding issue, as well as a criminal or behavioural one, ensuring that the student is given the help and protection they might need. This will include working with the LADO team in order to support and secure the safety and wellbeing of the child.

1.2 Searching a student who is suspected of possessing a banned item which is not dangerous

If you have a concern that a student may be in possession of a banned item e.g. a mobile phone, or in possession of an item which does not belong to them, call for the duty member of staff or an authorised member of staff for advice.

In the event of a prohibited item being found in the possession of a student, the Headteacher, or Deputy in their absence, should be informed immediately. The item should be removed from the student and placed in an envelope, sealed and locked away.

1.3 Guidance for dealing with electronic devices

All school staff should be aware that behaviours linked to sexting put a child in danger. Governing bodies should ensure sexting and the school's approach to it is reflected in the child protection policy. The UK Council for Child Internet Safety 4 Section 62 of the Coroners and Justice Act 2009 defines prohibited images of children. Section 63 of the Criminal Justice and Immigrations Act 2008 defines extreme pornographic images. 14 (UKCCIS) Education Group has recently published the advice - sexting in schools and colleges - responding to incidents and safeguarding young people <https://www.gov.uk/government/groups/uk-council-for-child-internet-safety-ukccis>

2. PROTOCOL FOR CONDUCTING A SEARCH OF A STUDENT'S POSSESSIONS:

- The student's privacy should be respected.
- The student should not be touched.
- The student and her possessions should be removed from the view of other students. However, a search should not be conducted in a space which is shut off from the rest of the school community – i.e. the door should be kept open. If several students are being searched, they should be isolated from each other.
- No students other than the student whose items are being searched should be present.
- There should **always** be two members of staff present. Depending on the nature of the item being searched for, and the individual concerned, it may be appropriate for both members of staff conducting the search to be female. However, staff can search an opposite sex pupil and/or search without a witness present if:
 - There is a risk that serious harm will be caused to a person if the search is not conducted immediately, and
 - It is not reasonably practicable to summon another authorised member of staff
- One member of staff should explain to the student clearly the purpose of the search and ask the student to empty their bag/pockets and place the items on a table top, rather than doing so for them.
- It is important to gain the student's consent.
- If the student does not give their consent for the search, the matter should be referred immediately to a member of the leadership team who will involve the student's parents/carers and/or the Safer Schools Officer (depending on the circumstances).
- No members of staff should search items of clothing, other than outer clothing, i.e. clothing not worn next to the skin. Students should only be requested to take off external items of clothing for searching - shoes, coats and jackets. Any necessary further clothing searches will be conducted by the police.
- Staff can use reasonable force when conducting a search for prohibited items (see section above for a list).
- Once the search has been conducted, the students should be informed about the authorised members of staff with whom they may discuss any concerns.

3. LINKS WITH OTHER POLICIES

This policy links with our policies on:

- Complaints Policy
- Positive Behaviour for Learning Policy
- Safeguarding Policy

