

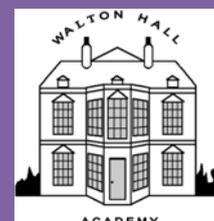
WALTON HALL ACADEMY

Search policy

Developed: March 2016

Revised:

Review Date: March 2017



Guidance on conducting a consented search

Walton Hall Academy is committed to safeguarding and promoting the welfare of the members of its community. The Education Act 2011 gives staff the power to search a pupil if they have reasonable suspicion the pupil has “Any article that the 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 property” or that they have an item that is identified against the Academy rules. Any items that pose a threat or are in breach of the Academy rules discovered in a search may be seized. Seized items should be appropriately dealt with in order to remove the risk of harm the item posed, and should maintain the law – e.g. if drugs or a weapon were discovered these would be handed over to the police, cigarettes may be disposed of but other items may be returned to parents or other appropriate adults.

Further to non-statutory advice from the Department for Education ‘Screening, Searching and Confiscation’ (Feb 2014) states that ‘School staff can search a pupil for any item banned under the Academy rules, if the pupil agrees’ and also that ‘Head teachers 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
- stolen items
- Tobacco and cigarette papers
- Pornographic images

- any article that the 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).

The people in the Academy who can carry out any such a search are members of the Senior Leadership Team. In exceptional circumstances a member of the SLT may authorise others to carry out such a search. This Policy would apply on authorised school trips where an immediate search may be required when there is suspicion that a pupil is in possession of a prohibited item or where a pupil would most benefit from another person’s approach, e.g. where a pupil has Autism or extreme behaviours requiring other possible intervention. In all circumstances the consent of the pupil to any search should be requested. A second adult witness should always be present. The Academy will always request pupils consent before a search, and will endeavour to protect the dignity of the pupil and where possible privacy. The Academy is under no obligation to consult with parent/carers of pupils but will seek to do so where possible.

In the general course of Academy life, given pupil good conduct overall and taking into account the very good relationships between pupil and staff, it is unlikely that searching students will be necessary. There are however, some occasions when it might be necessary; at those times, this Policy should be followed. These searches are outlined below.

Searching with consent.

Personal Search

Requires authorisation from SLT and should be carried out with a witness present.

Parents/carers should always be informed when a search has been carried out.

Staff must never:

- Touch the pupil forcibly;
- Search the pupil's person which includes clothing and pockets;
- Remove the pupils clothing (even a coat).
- Walton Hall Academy DO NOT carry out physical searches of pupils
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Pupils can be asked to turn out their pockets and contents of bags etc, in the presence of two people.

Pupils refusing to comply should be presented with clear facts and asked to reconsider.

Parent/carers may be asked to come into the Academy to support the request, or speak to the pupil. Parents may also be informed that the police will be contacted to conduct the search if the matter is deemed significant enough and involves an item outlined as banned that could pose a threat to themselves or others e.g. a knife or weapon

Property Search (Pupils belongings)

Pupils who may refuse to be searched should be presented with clear evidence and should be asked to reconsider

Searches can be made for any item that is considered to be a threat to the pupils, the property of the school or if the possession of which are against Academy rules. Searches may also be carried out to find missing or stolen property belonging to the school, staff or other pupils. Searches should only be carried out if there is reasonable suspicion that an item will be discovered and the reason for the search should be recorded appropriately and parents/carers informed following any search no matter the outcome.

Staff should not use a consented search as a first intervention; other information should be explored initially. E.g. Questioning.

- Opportunities should be given for pupils to use their sense of responsibility. This encourages a greater sense of morality, reasoning and consideration. Explain the suspicion to the pupil and your intention to search
- If as a last resort searches are required, pupils should be consulted, involved and be present
- Pupils can be asked to empty their pockets and bags. This should be handled sensitively (Not in an open public situation)
- Every opportunity should be given to pupils to volunteer permission to search. Formal written permission is not required and verbal permission is acceptable.

- Ask for permission, if this is given the pupil will need to sign (where appropriate) the consented search log.
- The pupil may choose an advocate to support them through the process, this may be another pupil.

Searches should be proportionate to the value or the risk. Staff should be aware of the potential of being accused of always selecting to search the same pupil(s) and the extent of the search should be proportionate to the likelihood of the item being found. Searches should be carried out in the view of the designated witness

In all circumstances of a search being carried out, an incident report and the consented search book needs to be completed thoroughly and a copy given immediately or first opportunity to the Academy Principal or Vice Principal. If the pupil is searched during a residential stay the Head of Care should be consulted and permission sought

Parent/carers need to be informed and support offered to the student following a search regardless of the outcome.

It may be necessary, on the result of the search that the Police are informed.

Where a pupil refuses consent to a search being carried out, and it is reasonable to suspect that a prohibited item is still in a pupil's possession, then a member of SLT, or member of the Academy staff authorised by the SLT will contact parents/carers and ask for their support. Parents/carers may be informed that the police will be contacted to conduct the search if the matter is deemed significant enough to require their involvement.

Policy written: 14th November 2015

Approved by Management committee: next meeting 7th March 2016

Ratified by Academy Council: 14th March 2016

Review date: March 2017

