



**Cleeve Park
School**

Screening & Searching Policy February 2019

This policy adheres to the Department for Education ‘Searching, Screening and Confiscations advice for Head Teachers, school staff and governing bodies, January 2018 document.

This policy explains Cleeve Park School’s legally permitted rights for screening and searching students. In particular, it explains the use of those rights to search students without consent. It also explains the powers that schools have to seize and then confiscate items found during a search. It includes statutory guidance which schools must have regard to.

SEARCHING

- The Executive Head Teacher, Head of School or a nominated member of SLT is authorised to search students or their possessions, without consent, where the Executive Head Teacher, Head of School or a member of SLT has reasonable grounds for suspecting that the student may have a prohibited item.
- The Executive Head Teacher or Head of School nominates the SLT and the Safeguarding Team to be permitted to search students or their possessions, **without consent**, where the Executive Head Teacher or Head of School has reasonable grounds for suspecting that the student may have a prohibited item.

PROHIBITED ITEMS

This list is not exhaustive, examples are:

- Knives or weapons
- Alcohol
- Illegal drugs / drug paraphernalia
- Stolen items
- Tobacco / cigarettes / smoking paraphernalia
- Fireworks / explosive devices
- Pornographic material
- Any other article that the member of staff reasonably suspects has been, or is likely to be, used to :
 - Commit an offence
 - Cause personal injury to, or damage to the property of, any person (including the student)
- All Cleeve Park School employees can view CCTV footage once authorised by the Executive Head Teacher, Head of School, Deputy Head Teacher or Business Manager in order to make a decision as to whether to conduct a search for an item. Such footage is not to be shown to parents / carers without prior permission from the Executive Head Teacher or Head of School. Copies of such footage need to be authorised by the Executive Head Teacher or Head of School
- The Executive Head Teacher or Head of School and authorised staff can also search for any item banned by the school rules.
- Cleeve Park School is not required to inform parents / carers, to seek their consent, prior to conducting the search of a student.

- There is no legal requirement to make / keep a record of the search. However, Cleeve Park School considers it good practice to inform parents / carers where alcohol, illegal drugs or potentially harmful substances are found. Any searches or confiscations will be logged.

STATUTORY GUIDANCE FOR DEALING WITH ELECTRONIC DEVICES

If there is a strong suspicion that there is inappropriate data or files on an electronic device owned by students or staff, it must be reported to a member of the safeguarding team and / or senior leadership team. Other members of staff **must not** investigate.

Where the member of safeguarding or senior leadership staff undertakes the investigation they **must not** examine any data or files on the device, but,

- The student must be asked if there is any inappropriate data or files on the electronic device.
- If the reply is yes, the staff member should ask for a description of contents. This should be written down, dated and signed.
- If the data or files are thought to be of a sexual nature, **no staff member should view it**. The police should be called and the item confiscated until the police arrive.
- The staff member must reasonably suspect that the data or file on the device in question has been, or could be, used to cause harm, to disrupt teaching or to break the school rules.
- If there is data regarding a fight or public disturbance, school should not take copies of the content without parental permission.

CONFISCATION

- Authorised staff (or staff nominated by them) can seize any prohibited item found as a result of the search.

PROTOCOL REGARDING A SEARCH OF A STUDENT

- The designated senior staff member is authorised to conduct a search with the student's consent
- Only staff of the same sex as the student is permitted to conduct a search. There must be a witness to this search. The witness could be:
 - The Police
 - The student's parent / carer
 - A member of staff nominated by the designated senior staff member who is permitted to search.
- If a student refuses to a search and there is reasonable doubt that they may be carrying an item which may cause serious harm to themselves or others, the matter must be decided by the Executive Head Teacher or Head of School or person nominated by them.

TRAINING FOR SCHOOL STAFF

- When designating a member of the school staff to undertake searches under these powers, the Executive Head Teacher or Head of School should consider whether the member of staff requires any additional training to enable them to carry out their responsibilities.

LOCATION OF A SEARCH

- Searches without consent can only be carried out on the Cleeve Park School site, or, if elsewhere, where the member of staff has lawful control / charge of the student - for example, on school visits in England or in training settings.

EXTENT OF THE SEARCH – CLOTHES, POSSESSIONS, DESKS AND LOCKERS

What the law says:

- The power to search without consent enables a personal search, involving removal of outer clothing and searching of pockets, hats, footwear, gloves, scarves etc.; but not an intimate search going further than that, which only a person with more extensive powers (e.g. Police Officer) can do. The search can also be undertaken where the student has, or appears to have, control, e.g. Desks, lockers, bags.

USE OF FORCE

- Members of staff can use such force as is deemed reasonable (please refer to Cleeve Park School's restraint policy) given the circumstances when conducting a search for knives or weapons, alcohol, illegal drugs, stolen items, smoking paraphernalia, cigarettes and tobacco, fireworks, pornographic images or articles that have been or could be used to commit an offence or cause harm.

See the Department for Education Searching, Screening and Confiscations advice for Head Teachers, school staff and governing bodies, January 2018 document.

Policy review date: February 2020

Policy to be reviewed by: Designated Safeguarding Officer