
This policy explains Welling 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 schools have to seize and then confiscate items found during a search. It includes statutory guidance which schools must have regard to.

Searching

- ✦ All school staff employed by Welling School can search a student for any item if the student agrees and this agreement is witnessed by another member of the school staff.
- ✦ The Headteacher is authorised to search students or their possessions, without consent, where the Headteacher has reasonable grounds for suspecting that the student may have a prohibited item.
- ✦ The Headteacher nominates the SLT and the Safeguarding Team to be permitted to search students or their possessions, without consent, where the Headteacher has reasonable grounds for suspecting that the student may have a prohibited item.

Prohibited items

- ✦ Knives or weapons.
- ✦ Alcohol.
- ✦ Illegal drugs / drug paraphernalia.
- ✦ Stolen items.
- ✦ Tobacco and cigarette papers.
- ✦ Fireworks.
- ✦ Pornographic material.
- ✦ Any other article 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 Welling School employees can view CCTV footage in order to make a decision as to whether to conduct a search for an item.
- ✦ Head teachers and authorised staff can also search for any item banned by the school rules.
- ✦ Schools are not required to inform parents / carers, or to seek their consent, prior to conducting a search of their child.
- ✦ There is no legal requirement to make / keep a record of a search. However, Welling School considers it good practice to inform parents / carers where alcohol, illegal drugs, or potentially harmful substances are found.

Statutory guidance for dealing with electronic devices

Where the member of staff conducting the search finds an electronic device they may examine any data or files on the device if they think there is a good reason to do so.

A "good reason" for examining contents of an electronic device is:

- ✦ 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 break the school rules;
- ✦ if inappropriate material is found on the device the member of staff must refer this material to the designated staff.

Confiscation

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

Screening

What the law allows.

- ✳ Welling School can require students to undergo screening by a walk-through or hand-held metal detector (*arch or wand*) even if they do not suspect them of having a weapon and **without** the consent of the students.
- ✳ Any member of Welling School staff can screen students.

Also note:

- ✳ If a student refuses to be screened, Welling School has the right to refuse to permit the student onto the school site.
- ✳ If a student fails to comply, and Welling School does not let the student in, parents / carers will be informed by the school that this will be treated as unauthorised absence and not an exclusion

Protocol regarding a search of a student

- ✳ The designated staff (as listed above) are authorised to conduct a search with the student's consent.
- ✳ Only staff of the same sex as the student are permitted to conduct a search. There must be a witness to this search. This witness could be:
 - the police;
 - the student's parent / carer;
 - a member of staff nominated by the designated staff permitted to search.

5. Training for school staff

- ✳ When designating a member of staff to undertake searches under these powers, the head teacher 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 Welling School site, or if elsewhere, where the member of staff has lawful control / charge of the student – for example, on school trips in England or in training settings. **These powers only apply in England.**

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. a 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 Welling School's Restraint Policy) given the circumstances when conducting a search for knives or weapons, alcohol, illegal drugs, stolen items, tobacco and cigarette papers, fireworks, pornographic images or articles that have been or could be used to commit an offence or cause harm

Associated Resources	Department for Education: <i>Screening, Searching and Confiscation Advise for Headteachers Staff and Governing Bodies</i>
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