

Myddelton College Search Policy

Policy Statement

Myddelton College is committed to safeguarding and promoting the welfare of the members of its community. Accordingly there may be occasions when it becomes necessary to search the person, the belongings or the room of a pupil. This policy sets out the circumstances in which such searches can be carried out and the means by which it should be done, in accordance with the Education and Inspections Act 2006 and DFE Guidance for Schools on Screening, Searching and Confiscation (February 2014).

The people in the school who can carry out any such search are the members of the Boarding Team of the pupil(s) concerned or members of the Senior Leadership Team. In exceptional circumstances the Headmaster, Senior DSL or Head of Boarding may authorise others to carry out such a search. This policy would apply on authorised school trips where school rules are in force. In all circumstances the consent of the pupil to any search should be requested. A second adult witness should always be present. Incident reports must be submitted to the Headmaster and Head of Boarding about any such search, listing all the main details. Affected pupils' parents should always be contacted after any search, regardless of the outcome.

In the general course of school life, given pupils' good conduct overall and taking into account the very good relationships between pupils and staff, it is unlikely that searching pupils will be necessary. There are however some occasions when it might be; at those times, this policy should be followed.

Essentially there are two types of search: those with consent and those without consent.

Searching with Consent

- School staff can search pupils with their consent for any item which is banned by the school rules.
- Schools are not required to have formal written consent from the pupil for this sort of search – it is enough for the teacher to ask the pupil for him/her to turn out his/her pockets or if the teacher can look in his/her room, desk or bag.
- If the pupil refuses to comply, this is not necessarily an admission of guilt; however the matter should be referred to a senior member of staff if appropriate.

Searching without consent

- Items that can be searched for under these powers include knives, weapons, alcohol, illegal drugs and stolen items (referred to as prohibited items).
- The search should always be carried out in the presence of another adult witness, if at all possible a member of staff of the same sex of the child

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- The search may be carried out if you have reasonable grounds of suspecting that a pupil is in possession of a prohibited item.

Searching a Pupil's Person

- If a pupil is suspected of carrying a prohibited item he/she should be asked, in the presence of a second adult witness, to turn out his/her pockets.
- Staff should not touch pupils but are allowed to ask them to remove any outer clothing in order to conduct the search. (Outer clothing refers to any item which is not immediately touching the skin.).
- If this fails and possession of such items is still strongly suspected, the pupil should then be told that the police might be called, who are allowed to conduct a personal search if they believe that a crime has been committed.
- Parents or guardians only need to be informed of the search if prohibited items have been discovered.

Searches of a Pupil's Personal Property

- There may be circumstances in which staff wish to search a pupil's personal property, such as a bag, mobile phone or locked tuck box, drawer or cupboard.
- For searches involving a minor item such as a lost CD, it is more appropriate to ask pupils to search their own property to see if the item has been misplaced.
- The School reserves the right, where there is reasonable suspicion of a disciplinary offence, to inspect and monitor the use of computers, mobile phones and other electronic devices and may confiscate these if they have been used inappropriately.
- Under common law powers, if a pupil consents, any item may be searched for.
- If a pupil does not consent to a search, it is only possible to search for the prohibited items listed earlier.
- Any such search must be witnessed by a second adult and, ideally, the pupil.
- Proper records should be kept.
- Parents or guardians only need to be informed of the search if prohibited items have been discovered.
- If there is suspicion about the contents of items of post that have been received by a pupil, they should be asked to open the post in the presence of their Housemaster.

Searches of School Property

- Those authorised to carry out searches may search school property, such as a pupil's locker or desk, if they believe illegal drugs or weapons or stolen property to be stored there.
- Prior consent can be sought, but individuals should be made aware that the school may still proceed with a search even if consent is refused. The decision to go ahead in such

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circumstances would have to take into account the likelihood of an offence having been committed.

- A second adult witness should always be present and if possible, the pupil concerned.
- For less serious items, the same rules apply as above, but the extent and nature of the search should be proportionate to the value of the item sought and the likelihood of the item being found.
- Great care must be taken to avoid persistent targeting of individuals where allegations of victimisation or discrimination might arise.
- Forcible entry into locked school property is only justified in extreme circumstances and would also need the authorisation of the Headmaster or Head of Boarding
- Parents or guardians only need to be informed of the search if prohibited items have been discovered.
- If an illegal item is found as a result of the search (e.g. drugs, a knife, a firearm), it should be handed to the Headmaster who will contact the police.

School Trips

This policy on searches of pupils and their belongings applies at all times, irrespective of whether the pupil is at the school or on a non-residential, or residential, trip, outside of school

There may therefore be occasion to carry out a search on a school trip. If this occasion arises, the adult in charge of the trip should make an effort to contact either the Headmaster or Head of Boarding to obtain authorisation. If this proves impossible and the circumstances are such as to make a search necessary, the adult in charge is empowered to carry out such a search, following all the above procedures. A second adult should act as a witness. Full notes must be kept and an incident report submitted in due course.

