

## **Policy on Searching Pupils at Yarlet School (Including Boarding and EYFS)**

In general, given pupils' good overall conduct 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.

There are two categories:

- 1) Searching with the consent of pupils
- 2) Searching without the consent of pupils.

In both cases staff need to have reasonable grounds to suspect that pupils are in possession of the items being searched for. The member of staff must decide in each particular case what constitutes reasonable grounds for suspicion. For example, they may have heard other pupils talking about the item or they might notice a pupil behaving in a way that causes them to be suspicious.

### **1) Searching with the consent of pupils (*any member of staff*)**

1. This applies to those items which are banned from school. (See section 550ZA of the Education Act 1996) It includes items associated with smoking, drinking alcohol and illegal drugs, such as: cigarettes, tobacco, lighters, matches and other smoking paraphernalia, alcoholic drinks, illegal drugs and items associated with them. It also includes offensive or dangerous items such as fireworks, laser pointers or weapons of any description. It also includes stolen items.
2. Pupils should, for example, be asked to turn out their pockets, show the contents of a drawer or bag or show the contents of their dormitory. The search should be conducted in the form of requests rather than instructions.
3. Searches may be carried out by any individual member of staff, not necessarily of the same gender as the pupil; however it is preferable to have another member of staff present if practicable.

### **2) Searching without the consent of pupils (*nominated staff only*)**

4. This applies only to illegal items, for example alcohol if under age, smoking items if under age, illegal drugs or stolen items, knives or weapons.
5. The following staff are authorised by the Headmaster to carry out searches without a pupil's consent: All members of the SLT and any member of staff in charge of an educational visit, sports fixture or other off-site event.

6. Members of staff may refuse to conduct a search.
7. A pupil's possessions can only be searched in the presence of the pupil and another member of staff. The two members of staff present should be of the same gender as the pupil being searched.
8. Searches without consent can only be carried out on the school premises or, if elsewhere, where the member of staff has lawful control or charge of the pupil, for example on school trips.
9. The person conducting the search cannot require the pupil to remove any clothing other than outer clothing. 'Outer clothing' means clothing that is not worn next to the skin or immediately over a garment that is being worn as underwear. It includes coats, hats, shoes, boots, gloves and scarves.
10. Staff should inform the pupil's parents that the search has taken place without the pupil's consent and what, if anything, was found and the sanctions applied.

#### **Confiscating Items Found in a Search (both categories 1 & 2)**

11. Staff carrying out a search can seize anything they have reasonable grounds for suspecting is a prohibited item.
12. Banned or illegal items, or those suspected as such, found in a search should be confiscated and given to the Headmaster as soon as possible.
13. The Headmaster will retain items, dispose of them or hand them over to parents or the police according to DfE guidance.



**Signed**

**Date**                    **September 2020**

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