



URSULINE HIGH SCHOOL
Wimbledon

Prohibited Items Search Policy

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HEADTEACHER Ms JULIA WATERS BSc (Hons) MA

URSULINE HIGH SCHOOL CRESCENT ROAD WIMBLEDON LONDON SW20 8HA

TEL: 020 8255 2688 FAX: 020 8255 2687

E-MAIL: enquiries@ursulinehigh.merton.sch.uk

WEBSITE: www.ursulinehigh.merton.sch.uk

Related Policies

The following policies fall under our safeguarding umbrella and have links with these policies:

- Safeguarding Policy
- Staff Code of Conduct
- Behaviour Policy
- Whistle-blowing
- Health and Safety including site security
- Students with medical conditions(incorporating Medical Room procedures)
- Drugs policy

Our ethos

The Ursuline High School is committed to safeguarding and promoting the welfare of all its pupils and staff. The school will always take a considered and sensitive approach in order that we can support and recognise that each pupil's and staff's welfare is of paramount importance. Our school will establish and maintain an ethos where:

- a) safeguarding is threaded through everything we do in our school ('the golden thread');*
- b) pupils feel secure, are encouraged to talk, are listened to and are safe. Children at our school will be able to talk freely to any member of staff at our school if they are worried or concerned about something, be it with regard to adults or their peers;
- c) we recognise that staff at our school play a particularly important role as they are in a position to identify concerns early and provide help for children to prevent concerns from escalating. All staff are encouraged to maintain an attitude of '**it could happen here**' where safeguarding is concerned;
- d) through robust training and induction, all staff and regular visitors will know how to recognise indicators of concern;
- e) at all times we will work in partnership and endeavour to establish effective working relationships with parents, carers and colleagues from other agencies in line with '*Working Together to Safeguard Children*' (2015).
- f) Each person is able to work in a secure and safe environment.

1. Definition

1.1 To enable this to happen the Headteacher's Behaviour Policy states any student who has brought into school a prohibited item maybe searched. Prohibited items are:

- knives or weapons
- alcohol
- illegal drugs
- stolen items
- tobacco and cigarette papers
- fireworks
- 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

- 1.2 To enable this to happen the Headteacher's Behaviour Policy states any student who has brought into school an offensive weapon will be permanently excluded.
An offensive weapon is any article made or adapted to injure a person, or any article which is intended by the person carrying the article for such use by her/him or by another person.
- 1.3 This is stated in students' diaries and students and parents are informed annually of the school's behaviour policy and action taken regarding offensive weapons at Information Evenings.
- 1.4 The school can also seize any item, however found, which they consider harmful or detrimental to school discipline, as deemed by the Head Teacher.

2. Education of Students

- 2.1 The school educates students in the dangers and consequences of carrying prohibited items.
- 2.2 The school has staff trained in restorative practices and a Schools Police Officer to help resolve student conflict.
- 2.3 The PSHEC programme also educates students in their rights and responsibilities as citizens and members of the school community.
- 2.4 The school ethos is fundamental to creating a safe environment where every student and member of staff is respected.

3. Searching of students

- 3.1 The legislation states that schools can search a student with consent as part of their authority to discipline for any item and without consent for prohibited items (as listed above).
- 3.2 This is not a duty of the school, but a power which the school will exercise if there is a suspicion that a student is carrying prohibited items.

4. Safeguards

The safeguards which the school will put in place are as follows:

- 4.1 The Headteacher will in normal circumstances contact the police to search a student. In the event this is not possible she will, with the Assistant Headteacher Inclusion, present conduct a search. If the Assistant Headteacher Inclusion is unavailable another female staff member will be present.
- 4.2 The Headteacher will comply with the conditions specified under the power.
- 4.3 In order to keep students safe the student will be isolated in the Headteacher's office while the police are called.
- 4.4 Students will be questioned first if there is suspicion. If the suspicion is confirmed then the search will go ahead and the police will be contacted.

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 in England or in training settings. Again only with the Head Teachers authorisation.

The powers only apply in England.

5. In the event the police are not available

- 5.1 The student will be asked to surrender the prohibited items reminding the student about the key points of the school policy and that, depending on the prohibited item, is a criminal offence with penalties to carry these items.
- 5.2 If the student does not surrender the prohibited items the Headteacher will ask the student to consent to a search.
- 5.3 At all times the Headteacher will use 'talk down' techniques to clam the students and prevent or reduce any risk of the exchange escalating.
- 5.4 If a student runs away then the emergency number 999 will be called to notify the police of the danger.

5.6 If the Headteacher or the Deputy Headteacher in her absence decides it is not safe for them to search, they should not search and should phone 999.

6. Searching a student

6.1 The Headteacher and Senior staff who undertake a search according to the law and follow this guidance are protected by law. Two members of staff will always be present and must be the same sex as the student.

6.2 A student's possessions can be searched without consent by a member of staff of the opposite sex.

7. Liability

7.1 The Employers liability insurance covers any claims by the Headteacher, Deputy Headteacher or Assistant Headteacher in the event of an injury.

8. Reasonable Suspicion

8.1 The Headteacher will assess what constitutes, in each case, reasonable grounds for suspicion that a student may have prohibited item with her/him or in her/his possession.

8.2 Suspicion will be based on facts relevant to the likelihood of finding the prohibited items using reliable supporting intelligence or information about some specific behaviour by the students searched. It will not be based on generalisations or stereotypical images of students. The Headteacher will make reasonable decisions based on their knowledge of students and this past habitual behaviour.

8.3 Reasonable suspicion may be based on some level of generalisation stemming from the behaviour of a student e.g. trying to hide something. The grounds of suspicion will be communicated to the student. The Headteacher will not use the result of a search to provide grounds for suspicion to search the student.

9. Extent of search

9.1 This will involve a personal search i.e. the removal of the outer clothing and searching of pockets but not an intimate search. This would only be performed by a police officer.

Reasonable steps would be taken to preserve the dignity and privacy of students. A knife wand can be used in the conducting of this personal search.

Searches can include any goods over which the pupil has or appears to have control – this includes desks, lockers and bags. These goods can only be searched in the presence of the pupil and another member of staff, except where there is a risk that serious harm will be caused to a person if the search is not conducted immediately and where it is not reasonably practicable to summon another member of staff.

9.2 After the search:

9.3 If no prohibited item is found the school will record the outcome and inform the student's parents and inform the governing body of how many searches took place under the school's policy.

9.3 If a prohibited item is found by the Headteacher, or those with their permission to search, they may seize anything they have reasonable grounds for suspecting is a prohibited item or is evidence in relation to an offence.

- Where a person conducting a search finds alcohol, they may retain or dispose of it. This means that schools can dispose of **alcohol** as they think appropriate but this should not include returning it to the pupil.

- Where they find **controlled drugs**, these must be delivered to the police as soon as possible but may be disposed of if the person thinks there is a good reason to do so.

- Where they find **other substances** which are not believed to be controlled drugs these can be confiscated where a teacher believes them to be harmful or detrimental to good order and

discipline. This would include, for example, so called 'legal highs'. Where staff suspect a substance may be controlled they should treat them as controlled drugs as outlined above.

- Where they find **stolen items**, these must be delivered to the police as soon as reasonably practicable – but may be returned to the owner (or may be retained or disposed of if returning them to their owner is not practicable) if the person thinks that there is a good reason to do so.
- Where a member of staff finds **tobacco or cigarette papers** they may retain or dispose of them. As with alcohol, this means that schools can dispose of tobacco or cigarette papers as they think appropriate but this does not include returning them to the student.
- **Fireworks** found as a result of a search may be retained or disposed of but should not be returned to the pupil.
- If a member of staff finds a **pornographic image**, they may dispose of the image unless its possession constitutes a specified offence (i.e. it is extreme or child pornography) in which case it must be delivered to the police as soon as reasonably practicable. Images found on a mobile phone or other electronic device can be deleted unless it is necessary to pass them to the police.
- Where an **article that has been (or could be) used to commit an offence or to cause personal injury or damage to property** is found it may be delivered to the police or returned to the owner. It may also be retained or disposed of.
- Where a member of staff finds **an item which is banned under the school rules** they should take into account all relevant circumstances and use their professional judgement to decide whether to return it to its owner, retain it or dispose of it.
- Any **weapons or items which are evidence of an offence** must be passed to the police as soon as possible.
- Where the person 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. Following an examination, if the person has decided to return the device to the owner, or to retain or dispose of it, they may erase any data or files, if they think there is a good reason to do so.

9.4 The any illegal prohibited items will be delivered to the police when they arrive/until that time it will be locked up in the school safe.

10. Records

10.1 The record of any search will include:

- Name, sex, year, ethnicity
- Grounds of suspicion
- Time and place
- Who searched
- Who else was present
- How the search began and progressed
- Any reasonable force used and why
- The student response and how staff manage them

11. Outcomes and follow ups. Informing parents

11.1 The school will not normally inform a parent before a search or seek parental consent but will inform them afterwards. If a parent complains the parent will have a copy of the school's compliant procedure.

12. Review of the Policy

12.1 The Policy will be reviewed every three years by the Pastoral Committee.