



**THE CHERWELL SCHOOL**  
OPPORTUNITY, RESPONSIBILITY, EXCELLENCE

## **RIGHT TO SEARCH POLICY**

Person responsible for policy: AHT Behaviour

Revised: May 2021

Review Date: March 2023

Governor Committee: SIC



## THE CHERWELL SCHOOL

### RIGHT TO SEARCH POLICY

---

This policy is informed by Searching, Screening and Confiscation (DfE January 2018 ). This is the current DfE advice in relation to this issue.

[Searching, screening and confiscation](#)

Staff can search students for any item if the student agrees and the ability to give consent may be influenced by the child's age or other factors

Headteachers and staff authorised by them have a statutory power to search pupils or their possessions, without consent, where they have reasonable grounds for suspecting that the pupil may have a prohibited item. 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 (including the pupil).

The Headteacher and authorised staff can also search for any item banned by the school rules which has been identified in the rules as an item which may be searched for.

Similarly students can expect to be physically restrained if they present a danger to themselves or other members of the community.

Searches will be carried out by Year Leaders or members of the Senior Leadership Team and Parents and Carers will always be informed when this has happened.

A record will be made of any search that takes place and this will be kept in the students pastoral file.

The Headteacher authorises his Senior Leaders and Year Leaders to carry out all searches. There should be a witness present and if possible both members of staff should be of the



same gender as the student being searched. In exceptional circumstances when it is necessary to conduct a search of a student of the opposite sex or in the absence of a witness the member of staff conducting the search should bear in mind that a student's expectation of privacy increases as they get older.

If inappropriate articles are brought into school or used inappropriately they will be confiscated and kept in the school safe for collection at the end of the day. If these items are dangerous or illegal they will be handed to the Police for safe disposal. Further guidance about the disposal of items found during a search can be found in section 13 of the guidance from the DfE (link above)

The Cherwell School works closely with its Police Liaison Officers. If students are involved with any activity which breaks the law the police may be involved in the confiscation of items, Restorative Justice Conferencing, group work and education as well as links with home. In line with the guidance, Police will also support to carry out more intimate searches that do not involve only the outer layers of clothing.

Parents and Carers will always be informed when the police are involved and given the opportunity to attend any interviews.

If a student refuses to cooperate with such a search the school can apply an appropriate disciplinary penalty if the school feels on the balance of probabilities that the refusal to cooperate indicates possible concealment of prohibited items .

The school will continually review whether staff authorised to undertake searches require additional training.

The school will only undertake a search without consent if they have reasonable grounds for suspecting a student. These grounds could include a student acting in a suspicious fashion, overheard comments from other students, smelling of illegal substances, CCTV footage, etc.

Similarly the police will be involved if any student is suspected of having contact with an illegal substance. This includes possession, using or dealing. In such cases, the police will decide what course of action should be taken.

### **Links to other policies**

1. Behaviour for Learning Policy
2. Drugs Policy
3. Positive handling Policy