

# Eerde Behaviour Policy - appendices



## Searching, Screening and Confiscation

### Searching with a student's consent

Any member of school staff can search a student for any item with their consent.

You don't need written consent – it's enough to ask the student to turn out their pockets or if you can look in their bag or locker, and for the student to agree.

If you suspect the student has a banned item in their possession and they refuse a search, you should refer it to the Course Coordinator for that student or to the Principal.

It is acceptable to impose a sanction on a student who will not cooperate with a request to be searched - however, this should be coordinated by a senior member of staff (Principal/ School Director/ Course Coordinator/ Pastoral and Boarding Manager)

### Searching without a student's consent

#### **What can be searched for**

The school will only undertake this type of search if we have 'reasonable grounds' for suspecting a student may have a prohibited item in their possession.

Examples of 'reasonable grounds' might be the following: you,

- Hear other students talking about the prohibited item; or
- Notice a student behaving in a way that causes you to suspect they're concealing a prohibited item

Prohibited items are:

- Knives or weapons
- Alcohol
- Drugs or illicit substances
- Stolen items



- Tobacco, tobacco products, nicotine products and cigarette papers
- e-cigarettes and vapes
- Fireworks
- Pornographic images
- Any article that a member of staff reasonably suspects has been, or is likely to be, used to:
  - Commit an offence
  - Cause personal injury or damage to property

### **Who can do the search**

If you suspect a student has a prohibited item and they refuse a search, you should refer it immediately to the School Director, Principal or Pastoral and Boarding Manager.

Only the School Director or a member of school staff authorised by them can search without consent.

The searcher must be the same sex as the student being searched, and another staff member must be present (if possible, they should be the same sex as well).

However, staff can search an opposite sex student and/or search without a witness present if:

- There's a risk that serious harm will be caused to a person if they don't conduct the search immediately; and
- It isn't reasonably practicable to summon another member of staff

## During a search

### **Clothing**

The searcher may not require the student to remove any clothing other than outer clothing (i.e. clothing not worn next to the skin or immediately over underwear).

Intimate searches can only be conducted by a person with more extensive powers (e.g. a police officer).

### **Lockers, desks and bags**

These can only be searched in the presence of the student and another member of staff, except if:

- There's a risk that serious harm will be caused to a person if they don't conduct the search immediately; and
- It isn't reasonably practicable to summon another member of staff



## Boarding Rooms

These can only be searched in the presence of the student and another member of staff, except if:

- There's a risk that serious harm will be caused to a person if they don't conduct the search immediately; and
- It isn't reasonably practicable to summon another member of staff

## Screening

If it is suspected that a student is under the influence of alcohol, drugs or a prohibited substance, the school may opt to perform a screening test.

Ordinarily this will be:

- Alcohol - breath test
- Drugs - urine or hair test

Staff should only perform screening with another member of staff present. If the student does not give consent, then a senior member of staff should be informed and the test should not go ahead.

Staff must ensure that the process is fully explained to the student and the process is conducted calmly and with minimal intrusion to the student. Staff should not request to see students passing urine and should not request any items of clothing be removed in order to administer a test.

## Confiscating items

Any items which are confiscated should be notified to the School Director, Principal or Pastoral and Boarding Manager immediately. They will then take the appropriate action from this point, as below.

Items may be confiscated, retained or disposed of as a disciplinary penalty, where reasonable to do so.

There are ways in which specific prohibited items should be handled (see below).

### **Weapons or items which are evidence of an offence**

Pass these on to the police as soon as possible.

### **Alcohol, tobacco/ nicotine products, e-cigarettes and cigarette papers, fireworks**

Either retain or dispose of these, but don't return them to the student.

### **Controlled substances/ Drugs**



In most cases, deliver these to the police as soon as possible or seek advice from the police on how to dispose of them safely and correctly.

### **Stolen items**

If the items are valuable or illegal, deliver these to the police as soon as possible.

If they're low value, you may return them to the owner if you think there's a good reason to do so, or retain or dispose of them if returning them is not practicable.

### **Pornographic images**

Dispose of the images, unless there are reasonable grounds to suspect that their possession constitutes a specific offence (i.e. it is extreme or child pornography).

If so, deliver them to the police as soon as reasonably practicable.

In all cases any items which have been confiscated should be kept safely away from posing a risk to anyone. Usually in a locked cabinet until disposed of or delivered to police.

## **Electronic devices**

If during a search an electronic device is found, its data or files may be examined if there is good reason to do so and:

- The device is prohibited by school rules; or
- There is suspicion that it has been, or is likely to be, used to:
  - Commit an offence
  - Cause personal injury or damage to property

The School Director (or another member of staff designated by the School Director), along with the IT Manager are the only members of staff permitted to search electronic devices and may delete data or files if they think there's a good reason to do so.

A 'good reason' to examine devices or erase data or files is if they reasonably suspect that data or files on the device in question have been, or could be, used to:

- Cause harm
- Disrupt teaching
- Break the school rules

### **Evidence related to an offence**

If there is reason to believe that the device contains evidence in relation to an offence, it must be given to the police as soon as reasonably practicable.



If during the search of the device data or files related to the offence are found, these should not be deleted before handing the device over to the police.

## Reporting searches

### **Informing parents**

It is not necessary to gain parental permission before conducting a search. However, they should be informed if the following are found:

- Alcohol
- Illegal drugs
- Potentially harmful substances

## Internal records

Details of searches, screening and confiscations should be maintained by the School Management Team . These will be kept in line with other behaviour and conduct records.

