



SEARCH POLICY

**COVERING BOTH SCHOOLS
INCLUDING EYFS AND BOARDING**

Governors' Committee normally reviewing:	Governance Committee
Date last formally approved by the Governors :	Summer Term 2018
Date policy became effective :	March 2016

Period of Review:	2 Yearly
Next Review Date :	Summer Term 2020

Person responsible for implementation and monitoring :	Heads
Other relevant policies :	<ul style="list-style-type: none">● Behaviour Policy● Pastoral Care Policy● Discipline and Exclusions Policy● Promoting Positive Behaviour for Learning and Code of Conduct Policy● Pastoral Care Plan including Anti-Bullying and the Behaviour and Discipline Policy● Safeguarding (Child Protection and Staff Behaviour) Policy● Site Security Policy● Promoting the Welfare of Boarders Policy● Positive Handling (Restraining) Policy● Positive Handling Policy

The following Policy encompasses the Aims and Ethos of the Preparatory School and the Senior School

**Mr Simon James
Head, Preparatory School**

**Mr Chris Townsend
Head, Senior School**

[Aims and Ethos](#)

SAFEGUARDING STATEMENT

Felsted is committed to maintaining a safe and secure environment for all pupils and a 'culture of vigilance' to safeguard and protect all in its care, and to all aspects of its 'Safeguarding (Child Protection and Staff Behaviour) Policy'.

EQUAL OPPORTUNITIES STATEMENT

The aims of the School and the principles of excellent pastoral care will be applied to all children irrespective of their race, sex, disability, religion or belief, sexual orientation, gender reassignment or pregnancy or maternity; equally these characteristics will be recognised and respected, and the School will aim to provide a positive culture of tolerance, equality and mutual respect.

1. Searching

- School staff can search a pupil for any item if the pupil agrees. The School does not require formal written consent as long as the teacher has asked the pupil, for example to turn out his or her pockets or to look in a pupil's bag. ¹
- The Heads and staff authorised by them (SLT, HMs/Houseparents, Trips Leaders and any other staff directed by them) have the power to search a pupil or their possessions without consent where they have reasonable grounds for suspecting that the pupil may have a prohibited item, or any article identified in the Felsted School Parent Agreement and/or the School Rules as an item which can be searched for. 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 property of any person (including the pupil)
 - any item banned by the Felsted School Parent Agreement and/or the School Rules, which has been identified in the rules as an item which may be searched for
 - any other illegal item.
- Prep School pupils are prohibited from carrying a mobile phone whilst in School. Any mobile phones in School for agreed circumstances are stored in the appropriate Office. After School hours, Boarders are permitted to use a mobile phone as agreed by the Boarding staff.
- School staff can seize any prohibited item found as a result of a search. They can also seize any item which they consider harmful or detrimental to school discipline.
- If an illegal item is found, it will be handed to the police. Other items prohibited by the School Rules and/or the Felsted School Parent Agreement will be returned to the pupil's parents.

2. Procedure for conducting a Search

2.1. Searching without consent

A search without consent can be carried out if there is grounds for suspicion of possession of any prohibited items. In this case the School does not require the permission of the pupil, although ideally permission will be gained first. If permission is not given but the concerns are sufficient, the search can still go ahead.

The member of staff carrying out the search must be the Head or a member of School staff authorised by the Head. They must be the same sex as the pupil and the search

¹ The ability to give consent may be influenced by the child's age or other factors

witnessed by a second adult. If possible the witness should also be the same sex as the pupil being searched. A member of staff may carry out a search of a pupil of the opposite sex and without a witness present **only** when they reasonably believe that 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 practical to summon another member of staff.

The school will not force entry to a pupil's property except in cases of extreme concern, if the contents are suspected to be illegal drugs or are dangerous to those around the property.

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.

2.2. Search of a pupils person

This will be avoided except in extreme situations. Staff are required to ask the permission of the pupil, in the presence of a second adult witness. If the pupil still refuses, inferences will be drawn from any refusal to cooperate and the Deputy Head (Prep School or Senior School) or equivalent will be called to carry out or witness the search, dependent on the sex of the pupil.

Staff will not 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 but 'outer clothing' includes hats; shoes; boots; gloves and scarves.

Members of staff can use such force as is reasonable given the circumstances when conducting a search for knives or weapons, alcohol, illegal drugs, stolen items, tobacco and cigarette papers, fireworks, pornographic images or articles that have been or could be used to commit an offence or cause harm. The Positive Handling Policy (Prep School) or Positive Handling (Restraining) Policy (Senior School) should be adhered to at all times. Such force cannot be used to search for any other items banned under the School Rules and/or the Felsted School Parent Agreement.

If the suspicion is that the pupil has drugs or weapons, the police may be involved.

2.3. Search of possessions

Staff can search a pupil's bed, cupboard, lockers, desks or possessions for any item which the pupil has or appears to have control, provided the pupil agrees. If a pupil does not consent to a search then it is possible to conduct a search without consent but only for a prohibited item listed in Section 1 of this policy or 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 reasonable to summon another member of staff.

2.4. Lost items in a School house

Housemasters / Housemistresses /House Parents may be asked to assist in the search for an item that is lost or suspected stolen. This should only happen if the search is necessary. A whole house search for a book/CD would not be proportionate,

although it could be reasonable to search the lockers in the boarding room, or year group rooms.

2.5. Search of electronic devices

If inappropriate content or use of a mobile device including chromebook or laptop is suspected and there is good reason to examine an electronic device, the Search Policy will be followed.

Where any search finds an electronic device that is prohibited by the School Rules or that the School reasonably suspects has been, or is likely to be, used to commit an offence or cause personal injury or damage to property, the School may examine any data or files on the device where there is a good reason to do so.

If a member of staff suspects the content of any device could be of a safeguarding concern, the Designated Safeguarding Lead (DSL) must be notified immediately. Adults should not view youth produced sexual imagery unless there is good and clear reason to do so. The decision to view imagery should be based on the professional judgement of the DSL. All school staff are made aware that behaviours linked to sexting put a child in danger and the School's Safeguarding (Child Protection and Staff Behaviour) Policy and the UK Council for Child Internet Safety, Sexting in schools and colleges, advice will be followed for any search and/or action taken as a result of a search.

<https://www.gov.uk/government/groups/uk-council-for-child-internet-safety-ukccis>

If any devices need to be seized and passed onto the police then the device(s) should be confiscated and the police should be called. The device should be turned off and placed under lock and key until the police are able to come and retrieve it.

If an electronic device that is prohibited by the School Rules has been seized and the member of staff has reasonable grounds to suspect that it contains evidence in relation to an offence, the School will give the device to the police as soon as it is reasonably practicable. Material on the device that is suspected to be evidence relevant to an offence will not be deleted prior to giving the device to the police.

If a School does not find any material that they suspect is evidence in relation to an offence, and decides not to give the device to the police, the School will decide whether it is appropriate to delete any files or data from the device or to retain the device as evidence of a breach of school discipline.

3. Confiscation

The School staff can seize any prohibited item found as a result of a search or any item considered harmful or detrimental to school discipline.

- Where a member of staff conducting a search finds alcohol, the School may retain or dispose of it as deemed appropriate, this should not include returning it to the pupil.
- Where a search finds controlled drugs, these will be delivered to the police as soon as possible but may be disposed of if the School concludes there is a good reason to do so.

- Where the School's find other substances which are not believed to be controlled drugs these can be confiscated where the School believes them to be harmful or detrimental to good order and discipline. This would include, for example, so called 'legal highs'.
- Where any search finds stolen items, these must be delivered to the police as soon as reasonably practicable but may be returned to the owner if the School thinks that there is a good reason to do so.
- Where a member of staff finds tobacco or cigarette papers the School may retain or dispose of these as the school deems appropriate, this should not include returning them to the pupil.
- Fireworks found as a result of a search may be retained or disposed of but will not be returned to the pupil.
- If the School finds a pornographic image, the School may dispose of the image unless there are reasonable grounds to suspect that its possession constitutes a specified offence in which case it must be delivered to the police as soon as reasonably practicable and the School safeguarding procedures followed.
- Where an article that has been, or is likely to 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 the School finds an item which is banned under the school rules, the School will take into account all relevant circumstances and use 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.

4. Record keeping

A written record will be kept of any search, including date, time, people present and the outcome. The pupil's parents will be informed after any search, regardless of the outcome.

5. Monitoring and Evaluation

This policy will be reviewed every two years by the Heads and the Governance Committee.