



Durham School

Searching a Pupil Room Policy

1. Policy aims

- 1.1 The School intends to ensure that boarders' rooms and private property are safe and that the personal privacy of boarders is protected, and that intrusion unnecessarily into their privacy should be avoided where possible.
- 1.2 Any member of staff carrying out any type of search on a pupil's room or property will act strictly in accordance with this policy alongside the parent/school contract.
- 1.3 The School commits in this policy to observing the principles of the Equality Act 2010 and does not discriminate on any grounds.

2. Relationship to Guidelines, Procedures, other Policies and Legal Requirements

- 2.1 Under the Children Act 1989 it is stated that 'A person who does not have parental responsibility but has the care of the child may do what is reasonable in all circumstances of a case for the purpose of safeguarding or promoting the child's welfare'.
- 2.2 The Education and Inspections Act 2006 and the Apprenticeships, Skills, Children and Learning Act 2009 have given schools extra power to search pupils and confiscate items. These are in addition to common law power to search pupils and confiscate items. These Acts have been taken into account when providing the policy statements below.
- 2.3 This policy should be read in conjunction with the Safeguarding Policy and the Behaviour Policy.

3. Procedure

- 3.1 Checks will be carried out on individual rooms on a regular basis, and in cases where the suspicion or accusation of either theft of another pupil's property, or the storage of illegal items or items banned from rooms by the School.
- 3.2 All boarders will initially be asked for their permission and assistance in the search of their rooms and

property, and asked to accompany the staff undertaking the search, of which there should be two members.

- 3.3 The pupil may be asked either to turn out his/her pockets, drawers or other areas of storage within his/her room; if refusal is given, the School has the option of contacting the pupil's parents and disciplining them in accordance with an agreed disciplinary policy.

Whatever the pupil's response, the staff will not:

- touch the pupil forcibly;
- search the pupil's person, which, for this purpose, extends to outer clothing and pockets;
- remove the pupil's clothing, including coats and outerwear for the purpose of searching it.

- 3.4 Each boarder will have the opportunity to have secure storage facilities within their room for secure protection of money and possessions; the School has the right to ask the boarder to provide access to this secure area during his/her search of the room.

- 3.5 The extent of any search should be proportionate to the likelihood of the item been found; i.e., if it is likely that the item will most probably be found within a certain corridor rather than an unjustified invasion of every room in the building.

- 3.6 If a pupil cannot be contacted, all efforts will be made to ensure that staff will wait for contact to be made, or the pupil to return prior to a search being undertaken. Should the situation be urgent, i.e. if the pupil was suspected of leaving a bomb in his bag, the police should be contacted before any other action is taken.

- 3.7 The School will contact the pupil's parents after any search has taken place, with the exception of planned routine searches, regardless of the outcome. A record will also be kept of any searches and the outcome of them.

- 3.8 Any member of staff who seizes any item that a pupil has in his/her possession and retains it for any period, or disposes of it, will not be liable in any proceedings in respect of the seizure, retention or disposal or any consequential damage or loss.

- 3.9 If the property is stolen, illegal or dangerous the School should return it to the rightful owner or to a parent or hand it to the Police; in all other cases, it must be returned to the pupil.

4. Responsibilities

- 4.1 Responsibility for the overall Searching a Pupil's Room Policy lies with the Deputy Head [Pastoral].

5. Links to other policies and documents

This policy is linked to the following:

- Behaviour Policy

6. Oversight

- 5.1 Oversight of the *Searching a Pupil's Room Policy* is undertaken by the Governors' Audit Committee and the policy will be reviewed at least once in every three year period.

**Policy last reviewed by
Jennifer M Burns, Deputy Head [Pastoral]
August 2015
June 2018**