



Wychwood School

## SEARCHING POLICY

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**Date of Next Review: June 2021**

The Head, Deputy Head, Director of Studies and Housemistresses are acting *in loco parentis* while a girl is in the care of the School.

*Under Section 3 (5) of the Children act 1989 "...a person who does not have parental responsibility but has care of a child may do whatever is reasonable in all circumstances for the purpose of safeguarding or promoting a child's welfare...."*

Thus, staff at Wychwood may carry out certain searches where there is **reasonable** cause to do so.

This policy refers to the DfE advice of September 2016: Searching, screening and confiscation. This is available to all staff under Safeguarding Documents for all Staff on the Staff Shared area (T Drive)

This includes cases involving

- knives
- weapons
- alcohol
- illegal drugs,
- stolen items
- tobacco and cigarette papers
- cyber bullying
- stalking
- 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)
- any item banned by the school rules which has been identified in the rules as an item which may be searched for
- or the breaking of the major school rules which are written in every planner and announced to the whole school termly.

Any suspicion of these matters may be used as grounds for a search.

Searches may be made by any of the female staff noted above and any other female member of the Senior Management team, with the presence of a female adult witness and with authorisation from the Head or the Deputy Head if she is not on school premises or available. On occasions a Head Girl or girl Councillor may be present. A written record of the search, including the reason for the search, will be witnessed, signed and dated.

Bedrooms, common rooms, form rooms and electronic devices such as mobiles telephones, laptops, tablets and computers may be searched, either in the girl's presence or without her presence. Girls' bags may be searched, with or without their presence, if there is cause to believe that they contain a prohibited item or stolen property.

Lockers, locked boxes and locked drawers may be searched in the girl's presence and with her consent. A girl may be asked to remove items from her pockets or bag during a search. If she refuses consent, a parent or guardian will be informed of the case and requested to come to school immediately to resolve the situation. If the circumstances of the search are judged to be very urgent, a parent or guardian may be asked to give permission by telephone to allow a specific area to be searched. Such permission will be recorded and witnessed immediately and countersigned when the parent or guardian arrives at school.

Under common law powers, schools are able to search lockers and desks for any item provided the pupil agrees. Wychwood, Oxford makes it a condition of having a locker or desk that the pupil consents to have these searched for any item whether or not the pupil is present.

### **Confiscation**

School staff can seize any prohibited item found as a result of a search. They can also seize any item, however found, which they consider harmful or detrimental to school discipline.

It should be noted that

- Schools are not required to inform parents before a search takes place or to seek their consent to search their child
- There is no legal requirement to make or keep a record of a search
- Schools should inform the individual pupil's parents or guardians where alcohol, illegal drugs or potentially harmful substances are found, though there is no legal requirement to do so
- Complaints about screening or searching should be dealt with through the normal school complaints procedure

### **Youth Produced Sexual Imagery (Sexts)**

Adults should **not** view youth produced sexual imagery unless there is good and clear reason to do so. Wherever possible responses to incidents should be based on what DSLs have been told about the content of the imagery. The decision to view imagery should be based on the professional judgement of the DSL and should always comply with the safeguarding policy and procedures of Wychwood, Oxford. Imagery should never be viewed if the act of viewing will cause significant distress or harm to the pupil.

If a decision is made to view imagery the DSL would need to be satisfied that viewing:

- is the only way to make a decision about whether to involve other agencies (i.e. it is not possible to establish the facts from the young people involved)
- is necessary to report the image to a website, app or suitable reporting agency to have it taken down, or to support the young person or parent in making a report
- is unavoidable because a pupil has presented an image directly to a staff member or the imagery has been found on a school device or network

If it is necessary to view the imagery then the DSL should:

- Never copy, print or share the imagery; this is illegal.
- Discuss the decision with the DDSL first
- Ensure viewing is undertaken by the DSL or another member of the safeguarding team with delegated authority from the DSL
- Ensure viewing takes place with another member of staff present in the room, ideally the DDSL or a member of the senior leadership team. This staff member does not need to view the images
- Wherever possible ensure viewing takes place on school or college premises, ideally in the Head's or a member of the senior management team's office
- Ensure wherever possible that images are viewed by a staff member of the same sex as the young person in the imagery
- Record the viewing of the imagery in the school's safeguarding records including who was present, why the image was viewed and any subsequent actions
- Ensure this is signed and dated and meets the wider standards set out by ISI for recording safeguarding incidents.