



Rosehill Infant & Nursery School

Right to search (Staff & Visitors) policy

Signed By:

..... Head Teacher

Date:.....

..... Chair of Governors/resources

Date:.....

Review date: ...July 2028.....

Right to Search Policy

This policy sets out how the school manages searching and screening of staff and visitors in order to:

- Safeguard children
- Maintain a safe and secure environment
- Ensure lawful and proportionate practice

Applies to all staff, contractors, volunteers, and visitors on the school site.
The school does **NOT** have statutory powers to search staff or visitors without consent. Any search must therefore be consent-based.

Should a search be required, it is the responsibility of the head teacher/school business manager to make the visitor/employee aware of the policy and present a copy to them if requested.

1. Legal Framework

This policy is informed by:

- Health and Safety at Work Act 1974
- Human Rights Act 1998 (right to privacy)
- Equality Act 2010
- Keeping Children Safe in Education (KCSIE)

Linked Policies

- Safeguarding / Child Protection Policy
- Staff Code of Conduct

2. Authorised Staff

The following staff are authorised to request searches:

- Headteacher
- Deputy Headteacher
- School Business Manager

Only these staff may oversee or carry out any agreed search.

3. Associated documents

Right to search checklist Appendix 1

Incident Record Appendix 2

4. Screening of Bags and Personal Belongings

General approach

Staff and visitors may be asked to:

- Open bags
- Show the contents of personal belongings

This may occur where there is a reasonable concern relating to:

- Safety
- Safeguarding
- Theft or removal of school property
- Prohibited or dangerous items

5. Conduct of Screening

- The individual will be asked to open and present items themselves
- Staff must not physically search or handle belongings without consent
- Screening should take place in a respectful and discreet manner

6. Searches (With Consent Only)

A more detailed search may only take place where:

- The individual has given clear and informed consent, and
- There is a reasonable justification

7. Search Process

- The purpose of the search will be clearly explained
- Consent must be freely given and may be withdrawn at any time
- Searches will be conducted in a private setting where possible
- A second member of staff should be present as a witness

8. Limits of Searches

- Only outer clothing (e.g. coats, jackets) may be removed voluntarily
- No physical or intrusive searches are permitted
- Staff must not touch the individual

9. Refusal of Consent

If a staff member or visitor refuses a search request:

- They will not be compelled to comply
- The school may take appropriate action, including:
- Refusing entry to the site
- Asking the individual to leave
- Withdrawing permission to remain on site

In serious circumstances (e.g. suspected illegal or dangerous items), the police may be contacted.

10. Prohibited Items

The school may request a search where there are concerns about items including:

- Weapons or items that could cause harm
- Illegal substances
- Alcohol
- Stolen property
- Items that may pose a safeguarding risk

If such items are identified:

- They may be confiscated where appropriate and safe to do so
- The police will be contacted where necessary

11. Safeguarding Responsibilities

- Any concerns arising from a search must be reported to the Designated Safeguarding Lead (DSL)
- Concerns may indicate a wider safeguarding issue
- The safety of children will always take priority over other considerations

12. Record Keeping (see appendix 2)

A written record will be made where:

- A search is requested and consent is given or refused
- Any item of concern is identified

Records will include:

- Date, time, and location
- Reason for the search
- Names of those involved
- Outcome of the search
- Any actions taken

13. Confidentiality and Data Protection

- All information relating to searches will be treated confidentially

- Records will be stored in line with data protection requirements

14. Complaints

Any complaints regarding searches will be dealt with under the school's Complaints Policy.

15. Equality and Dignity

All actions taken under this policy will:

- Respect individual dignity and privacy
- Consider religious, cultural, and protected characteristics
- Comply fully with the Equality Act 2010

16. Monitoring and Review

This policy will be reviewed bi-annually by the Governing board

Right to search checklist

Searching with consent – Have you stated that:	
Nominated Staff can perform searches with consent for any item under common law	
You are not required to have formal written consent for this kind of search	
Searching without consent – Have you stated that:	
Searches without consent must be avoided. The police should be called at this point and an incident report completed by any witnesses and the nominated officers	
During the search – Have you stated that:	
You are able to search lockers and desks for any item provided	
After the search - Have you stated that:	
Any weapon or controlled substance must be passed on to the police except for a good reason	
Any high value stolen item, such as a laptop or iPad, may be passed on to the police except for a good reason	
In determining what is a 'good reason' for not delivering controlled drugs or stolen items to the police, the member of staff should take into account all relevant circumstances and use their professional judgement to determine whether they can safely dispose of a seized article	
A person carrying out a search can seize anything they have reasonable grounds for suspecting is a prohibited item or is evidence in relation to an offence.	
Where an article has been used, or could be used, to commit an offence or injury to person or property, it will be passed on to the police	
Where the legal status of a substance is unknown, it will be treated as a controlled drug	
Where the person conducting the search finds an electronic device they may examine any data or files on the device if they think there is a good reason to do so	
You are not legally required to make or keep a record of a search	
Complaints about the searching will be dealt in line with the school's Complaints Policy	

RIGHT TO SEARCH – INCIDENT RECORD (STAFF / VISITORS)

Date: _____

Time: _____

Location: _____

1. DETAILS OF PERSON

Name: _____

Role (staff/visitor/contractor): _____

2. STAFF INVOLVED

Lead staff member: _____

Witness (if present): _____

3. REASON FOR SEARCH REQUEST (Include specific concerns)

4. CONSENT

Was consent requested? YES / NO

Was consent given? YES / NO

If NO, action taken:

5. SEARCH / SCREENING DETAILS (Type and description)

6. OUTCOME

Items found (if any):

☐ No further action

☐ Item confiscated

☐ Police informed

☐ DSL informed

☐ Individual asked to leave

☐ Other: _____

7. SAFEGUARDING CONCERNS

8. SIGNATURES

Staff member: _____

Witness (if present): _____

Date: _____