

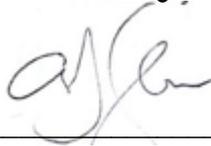


**SEARCH POLICY, OFFENSIVE WEAPONS POLICY AND DRUG MISUSE
POLICY**

SEARCH POLICY, OFFENSIVE WEAPONS POLICY AND DRUG MISUSE

Monitoring, Evaluation and Review

The policy will be promoted and implemented throughout the Trust. The Rushey Mead Educational Trust will review the policy, unless there are significant changes in the interim period.

Signed  _____
On behalf of the Rushey Mead Educational Trust

Date _____ 27.09.2016 _____

Next Review due: _____ June 2018 _____

This policy was adopted by the Local Governing Body of _____

Signed _____
On behalf of the Local Governing Body

Date _____

Version	Date	Author	Reason for Change
0.1	15.04.2015	ARU/CJO	Review of policy in accordance with conversion to MAT
0.2	31.08.2016	ARU	Revision to procedures and protocol when conducting a search as per Searching, screening, confiscation advice July 2015. Inclusion of dealing with electronic devices.

SEARCH POLICY

There are occasions when it might be necessary to determine whether or not a student is in possession of a substance or object which might be harmful to themselves or others, illegal or which has been obtained in an unlawful manner. In such circumstances this search policy may be applied.

This policy has been developed to support each academy's Behaviour Management and Physical Intervention policies. It has been introduced primarily in order to safeguard pupils, but also to protect staff and others as well.

The policy is based on advice and guidance on powers available to Principals and their staff conferred by several pieces of legislation, including the Education and Inspections Act 2006, the Violent Crime Reduction Act 2006 and the Criminal Justice Act 1988.

Within the Trust screening and searches are carried out by the Principal, or members of the Pastoral team, or equivalent, who have been authorised by the Principal to do so. There will always be at least two members of staff present, with at least one being of the same sex as the pupil.

When a pupil is screened or searched, their parents or carer shall be informed as soon as possible afterwards. A log of all screenings and searches is kept within a secure area of the academy's network. Being found in possession of an illegal object could mean fixed period or permanent exclusion from the academy. In some circumstances the police might also be contacted.

No-contact or Low-contact Screening

The academy can require pupils to undergo random screening for weapons without suspicion and without consent. For this purpose the school uses a hand-held metal detector (wand) which is a "no-contact" or "low-contact" (minimal contact of the wand with the pupil's clothes). The academy might use occasional screening of randomly selected pupils whilst on the premises, for example, a class or year group.

Where a pupil refuses to be screened, the academy may refuse to have the pupil on the premises or on an off-site educational visit. Although the academy will not have excluded the pupil, the absence will be treated as unauthorised. Any refusal to attend school shall be investigated by the education welfare officer in the same way as any other unauthorised absence.

Without-consent Search

The statutory power to search applies where there are reasonable grounds for suspecting that a pupil has in their possessions any of the following:

- A knife - any article which has a blade or is sharply pointed. The definition does not include a folding pocket knife other than one whose cutting edge exceeds three inches or one which is not readily foldable at all times, such as a locking knife.
- An offensive weapon - any article made or adapted to injure a person, or any article which is intended by the person carrying the article for such use by their self or by another person.

Three types of article are covered:

- a weapon made for causing injury, such as a gun
- an article adapted for causing injury, such as a bottle broken deliberately for the purpose; and

- an article not made or adapted for causing injury but which the person who has it intends to be used for the purpose of causing injury, e.g. a baseball bat. (Section 139 of the Criminal Justice Act 1988)

The policy includes a power to search where there are reasonable grounds to suspect that a pupil is in innocent possession of a weapon. Only a personal search, involving removal of outer clothing and searching of pockets can be carried out. An intimate search can only be carried out by a person with more extensive powers, such as a police officer.

The power to search shall only be used where staff judge that it is safe to do so. In particular, if members of staff believe that a pupil is likely to resist a search physically, they should call the police rather than try to overcome the pupil.

Procedures and protocols when conducting a search

This policy has been drawn up in accordance with the DfE's guidance Screening, Searching and Confiscation (July 2015). The key points in relation to conducting a search are below:

- Staff conducting the search must be of the same sex as the pupil/pupil being searched, and that a 'witness' is also present.
- The search (if the situation allows) should be done out of view of other pupils, ideally in a separate room ensuring the person being searched is afforded a reasonable amount of privacy during the search.
- Dependent upon the circumstances, academies should seek guidance from external agencies in respect of a pupil/pupil refusing to be searched.
- Academies/Colleges have the option to contact the Police to conduct a search if the incident or situation requires immediate police involvement.

Dealing with electronic devices:

- 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. Following an examination, if the person has decided to return the device to the owner, or to retain or dispose of it, they may erase any data or files, if they think there is a good reason to do so.
- The member of staff must have regard to the following guidance issued by the Secretary of State when determining what is a "good reason" for examining or erasing the contents of an electronic device.
- In determining a 'good reason' to examine or erase the data or files the staff member must reasonably suspect that the data or file on the device in question has been, or could be, used to cause harm, to disrupt teaching or break the school rules.
- If inappropriate material is found on the device it is up to the teacher to decide whether they should delete that material, retain it as evidence (of a criminal offence or a breach of school discipline) or whether the material is of such seriousness that it requires the involvement of the police.

Confiscation/Seizure:

The staff member conducting the search may seize anything that they have reasonable grounds for suspecting is a defined prohibited item. The Principal should be informed where appropriate. Any confiscated items will be dealt with in accordance with the DfE guidance Screening, Searching and Confiscation (July 2015). In particular:

- If alcohol is found, it may be retained or disposed of. The Principal should be informed.
- Any controlled drugs must be handed over to police as soon as possible unless there is good reason not to do so in which case the drugs must be disposed of. If there is any question about a substance being a controlled drug they should be treated as such. Other substances, such as 'legal highs' must be confiscated and handed over to the Vice Principal.
- If staff find stolen goods these must be delivered to the police unless there is good reason not to do so, in which case the item should either be returned to the owner, or, if this is not practicable, the items should be retained or disposed of.

Appropriate records should again be kept.

OFFENSIVE WEAPONS POLICY

It is illegal to carry knives or other offensive weapons on and around academy premises. The presence of weapons in the academy would not only create unacceptable risks of bullying, injury or death, but also create a climate that undermines the educational purposes of the school. Accordingly, it is the academy's policy to forbid the possession, custody and use of weapons by unauthorised persons in, on or around the academy premises and academy activities. No pupil or other person shall bring a weapon into the academy zone, nor carry or keep any weapon within the perimeter of the academy site or while attending or participating in any academy activities. These rules apply at all times except where a weapon is issued to a pupil by the academy or required by the academy for the purpose of teaching a curriculum activity. Misuse of such items will be dealt with as though possession was not authorised.

For the purpose of this policy a "weapon" is:

- any firearm of any description, including starting pistols, air guns and any type of replica or toy gun.
- Knife, including all variations of bladed object including pocket knives, craft knives, scissors etc.
- Explosive, including fireworks, aerosol spray, lighter, matches.
- Laser pen or other object, even if manufactured for a non-violent purpose that has a potentially violent use, if, in the circumstances, the purpose of keeping or carrying the object is for use, or threat of use, as a weapon. Any such weapon would be confiscated.

Any pupil found to be in breach of this policy shall be subject to action under the academy's Behaviour Management Policy. This could mean fixed period or permanent exclusion from the academy. In some circumstances the police might also be contacted.

DRUG MISUSE POLICY

The aim of this policy is to define and share the Trust's approach to drug education and the management of any drug-related incidents. It is for all pupils, staff, outside agencies, parents, carers and all individuals involved with school activities.

The policy aims to ensure that there is a whole school approach to drug education. We aim for our staff to be confident and skilled to deal with drug-related issues and to teach drug education. We aim to provide up to date, relevant and accurate information as well as support to the whole school community.

Sanctions for incidents will be consistent with the academy's Behaviour Management Policy. This policy should be read in conjunction with the academy's Health and Safety and Search policies.

This policy applies at all times to the academy premises, academy transport as well as academy visits, trips, fieldwork, residential etc.

Definition of a Drug

In this policy "Drug" means any substance that changes the way the body or mind works and includes legal substances such as alcohol, tobacco and solvents, over the counter and prescribed drugs and illegal drugs such as cannabis, ecstasy, amphetamines, heroin, crack/cocaine, LSD etc.

Trust Rules on Drugs

The possession or use of illegal drugs on academy premises will not be tolerated.

Our academies are smoke free and we do not allow smoking on academy premises by any person. Electronic cigarettes/shisha pipes are prohibited on site.

Pupils and other children or young people of academy age using the premises are not allowed to bring cigarettes or other tobacco products onto academy premises

Pupils should not bring prescribed medicines or shop-bought medicines to school unless a 'Request for Administration of Medicines' form, which are available from the academy's Pupil Support department, has been completed, signed and returned to the academy's first aider. Any such arrangements will be in line with the Trust's Health and Safety policy.

What happens if someone breaks the rules?

The Principal is responsible for implementing this policy. Given that no two cases are exactly the same the following outlines what someone breaking the rules might reasonably expect to happen if caught. Wherever possible the academy will try to avoid permanent exclusion but it should be noted that the school takes drug incidents very seriously and this action will always be considered.

Possession/Use of illegal drugs on school premises:

Adults found to be in possession or thought to be in possession of illegal drugs on academy premises will be asked to leave the academy site. If the adult refuses to leave the site the police will be called. The incident will be logged by the academy. Consideration will be given to informing the police of all such incidents and repeated possession/use will generally

result in the police being contacted. The police will always be called to deal with any incidents involving the supply of illegal drugs.

Pupils found in possession or thought to be in possession of illegal drugs, alcohol, tobacco, or medicines not agreed in line with academy medicines policy etc. will be asked to hand over the substance to the Principal or staff dealing with the incident in the presence of another member of staff. The young person will be spoken to by the head or designated teacher and parents/carers will be called as soon as possible to help decide the way forward in line with the academy's Behaviour Policy. The academy will normally inform the police of incidents involving illegal drugs and ask them to collect suspected illegal drugs.

Staff

Staff involved with substance misuse issues (including alcohol) will receive advice and support around health-related issues but might reasonably expect disciplinary action to be considered.

Drug Education

The academy provides a planned drug education curriculum for all our pupils through the following:

Science

- In science lessons all our pupils are taught that tobacco, alcohol and other drugs can have harmful effects – this is taught in line with the national curriculum audience for science.

PSHE and other activities including Citizenship that reflect knowledge, understanding, attitudes and social skills. These will:

- Enable pupils to make healthy, informed choices;
- Promote positive attitudes to healthy lifestyles;
- Provide accurate information about substances;
- Increase understanding about the implications and possible consequences of use and misuse;
- Widen understanding about related health and social issues;
- Enable young people to identify sources of appropriate advice and personal support.

On the whole, it will be teachers who will teach drug education but, where appropriate, the school nurse and other outside visitors/agencies may make a contribution. Such visitors will be used in a planned way and their contributions will be evaluated. Teachers will have access to on-going advice, support and training as part of their own professional development. The academy actively cooperates with agencies such as the LA, police, health and drug agencies.