Search and Confiscation Policy for Learners

This policy should be read in context with OMG Education's Safeguarding Policy, CCTV Policy, Substance Misuse Policy, Behaviour Policy, and Exclusion Policy.

Key Points

OMG Education (OMG) staff members can search any learner if they suspect that they may be in possession of prohibited items listed but not exhausted under the Behaviour Policy.

OMG staff members are authorised to search learners or their possessions without consent where they suspect the learner has certain prohibited items.

The items that can be searched for under these powers are

- Knives or weapons
- Alcohol
- Illegal drugs
- Stolen items
- Mobile phones/ Electronic devices for pornographic images (of any kind, e.g. topless tabloid pictures and 'lads' mags' as well as extreme adult material)
- Fireworks
- Anything that has been, or is likely to be, used to cause injury or commit an offence.

Staff members can seize any banned or prohibited item found as a result of a search or which they consider harmful or detrimental to OMG discipline.

Reasonable force may be used by the person conducting the search. Only OMG staff are authorised to use reasonable force in the case of a 'search without consent (see also Safeguarding Policy).

Who Can Search / What Can Be Searched For

Knives or weapons, alcohol, illegal drugs and stolen items (referred to in the legislation as 'prohibited items').

Members of staff authorised to search learners are as follows:

- Facilities Manager/Support
- Outreach and Mentoring Team
- Senior Management Team (SMT)
- Curriculum Managers,
- Directors

Refusal to agree to a search

If a learner refuses to be screened, OMG may refuse to have the learner on the premises.

In order to ensure the safety of all OMG learners, those refusing to cooperate with a search can receive a

written warning or be suspended or excluded.

This policy links to and should be read in conjunction with the following policies:

- Safeguarding Policy
- Substance Misuse Policy
- Behaviour Policy
- Exclusions Policy

The member of staff conducting the search must be the same gender as the learner being searched, and there must be a witness (a staff member); if at all possible, they should be the same gender as the learner being searched, where possible.

Establishing grounds for a search

OMG staff can only undertake a search without consent if they have reasonable grounds for suspecting that a learner may have in their possession a prohibited item. They must decide in each particular case what constitutes reasonable grounds for suspicion. For example, they may have heard other learners talking about the item or noticed a learner behaving in a way that causes them to be suspicious.

Specific staff can view CCTV footage to decide whether to search for an item. Please follow the CCTV policy.

The power to seize and confiscate items

Staff have the power to confiscate, retain or dispose of a learner's property as a disciplinary penalty where reasonable to do so.

The staff member can use their discretion to confiscate, retain and/or destroy any prohibited item found as a result of a 'with consent' search so long as it is reasonable in the circumstances.

Where any article is considered a weapon or controlled substance (see also Drugs and Substance Misuse Policy), it must be passed to a senior manager or the police. A senior manager must always be informed.

Items found as a result of a search

Suppose any prohibited items are found during a search. In that case, the learner will be subject to the Behaviour Policy or Exclusions Policy and may receive a written warning or be suspended or excluded at the discretion of OMG.