

Searching Staff Policy

Purpose

This policy outlines the procedures, responsibilities, and rights related to searching staff members and their personal belongings within the workplace. The aim is to ensure that searches are conducted fairly, lawfully, and with respect for the dignity and privacy of staff members, while maintaining a safe and secure working environment.

Legal Framework

Under UK law, employees have certain rights related to their personal privacy. A search of staff members may only occur where there are reasonable grounds to believe that the staff member is in possession of items that may pose a risk to the safety and wellbeing of others, are illegal, or violate workplace rules.

Scope of Policy

This policy applies to all staff members, contractors, and any other personnel working on the premises or engaged in YBS related/organised activities. It covers any situation where a search is deemed necessary, whether on premises or during work-related events or activities.

Key Legal Considerations

- Searches of staff members should be conducted in accordance with the law, respecting the right to privacy.
- Staff members cannot be searched without reasonable grounds, and a search should not be arbitrary.
- Any search must be justified, documented, and carried out in a manner that respects the dignity and privacy of the staff member.
- If a staff member refuses to consent to a search, the school may proceed with disciplinary action, which could include suspension, as well as contacting law enforcement if necessary for serious breaches.

When Can a Search Be Conducted?

A search may be initiated if there are reasonable grounds to suspect that:

- The staff member is in possession of prohibited items, such as illegal substances, weapons, or stolen property.
- There is a suspicion that the staff member is carrying items that could endanger others including students or disrupt YBS operations.
- The search is required for the safety and security of the students and staff on the course.

What Can Be Searched?

- **Personal belongings:** Bags, coats, and any other personal possessions that the staff member brings into the workplace.
- **Lockers:** Any staff member-owned lockers or storage spaces located on-site.
- **Electronic devices:** Phones, tablets, laptops, and other personal electronic devices if suspected to contain harmful, illegal, or inappropriate materials.
- **Clothing:** Outer clothing such as jackets, hats, or coats if there are grounds for suspicion.

Staff Involved in a Search

- **Designated Personnel:** Only authorised staff members, typically senior management, should carry out searches.
- **Witness:** Searches should always involve a witness—another member of staff present during the search to ensure transparency and fairness. The witness should ideally be of the same gender as the staff member being searched, if possible.
- **Same-Sex Staff:** Whenever possible, the search should be conducted by a staff member of the same sex as the employee being searched. If this is not possible, a same-sex witness should be present during the search.
- **Other Considerations:** In situations involving personal searches, if items are found that suggest criminal activity, police may need to be involved.

The Search Process

1. **Initial Discussion:** Before a search takes place, the staff member must be informed of the reasons for the search. The staff member should be given the opportunity to consent to the search. If consent is not provided, YBS may proceed with the search based on reasonable grounds for suspicion.

2. **Consent:** While a search may be conducted without consent in certain situations, every effort should be made to obtain the staff member's agreement. Failure to consent may lead to disciplinary actions, up to and including suspension or dismissal, depending on the circumstances.
3. **Conducting the Search:** Searches should be conducted in a private setting to ensure that the dignity of the staff member is preserved. All searches should be carried out discreetly and professionally, with minimal disruption to other staff or students.
4. **Item Seizure:** Any prohibited or illegal items found during the search may be confiscated. If an item is believed to be illegal (e.g., drugs, weapons, or stolen property), the appropriate authorities, including law enforcement, may be contacted.

What Happens if an Item is Found?

- If an illegal item (e.g., drugs, weapons, or stolen property) is found during a search, the staff member conducting the search should immediately report this to senior management and may contact the police for further action.
- Any prohibited items discovered will be dealt with in accordance with the school's disciplinary procedures. Disciplinary action may include suspension, termination, or other actions depending on the severity of the situation.

Record Keeping and Reporting

- A written record of every search should be made, including the date, time, location, the reason for the search, the staff member involved, and any items that were found. This documentation will help ensure transparency and accountability in the search process.
- The results of the search, including any items found, should be reported to senior management or human resources for review.
- If any illegal items are discovered, the school must inform the appropriate authorities and may involve the police.

Staff Member's Rights During a Search

- **Right to be Informed:** Staff members must be told why the search is being conducted, what items are being searched for, and the consequences of refusing a search.
- **Right to Refuse:** A staff member may refuse to consent to a search. However, refusal could lead to disciplinary action, suspension, or involvement of law enforcement, depending on the severity of the situation.

- **Right to Privacy and Dignity:** Searches should always be conducted in a way that respects the privacy and dignity of the staff member, and the search should be done in the least intrusive manner possible.

Communication with Staff Members

- If a search is conducted and any items of concern are found, the staff member will be informed of the findings and the next steps.
- Staff members will be given the opportunity to explain the circumstances or challenge the findings if necessary.

This policy will be reviewed annually and updated as necessary to ensure compliance with the law and best practices.

Approved by the Board of Trustees, 26 January 2026

Date of next review, January 2027