

**College Safety Policy
(including Metal Detecting Arches, Searches and
Confiscation)**

Title:	College Safety Policy (including Metal Detecting Arches, Searches & Confiscation)	
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1.0 Introduction

- 1.1 New City College has a responsibility towards its staff, students and visitors to ensure that the college is a safe environment within which everyone feels safe.
- 1.2 This Policy reflects the College's commitment to meeting its legal duties in respect to keeping staff and students safe and its authority and approach to metal detecting arches, searches and confiscation.
- 1.3 The College acknowledges that though it has a statutory duty and associated powers/authority to search students and their possessions with reasonable grounds, that these tools are not the only way to help staff and students feel safe. Search and screening should be a last resort and alternative, preventative work should be prioritised.
- 1.4 In addition to this, the college recognises the potential negative impact of search and screening and legitimate concerns around the implementation of such a policy, unconscious bias, 'adultification' of young people and the stigma that repeated search and screening poses for some demographics. This policy reflects the College's holistic approach to keeping staff and students safe. The College acknowledges that people may carry dangerous objects or offensive weapons for various reasons as part of grooming and county lines (and therefore must be considered as victims as well as perpetrators).
- 1.5 The College recognises the Trauma Informed approach and Stop and Talk approach to tackling community safety issues are preferable to searching and metal detecting arches and that these should be part of a full complement of safety measures.

2.0 Scope of Policy

- 2.1 This Policy and Guidance is relevant to all employees of New City College, including contract and agency staff irrespective of their hours worked and regardless of their length of contract or service. It also applies to all those who may be affected by its activities, such as students, visitors, contractors and the general public.
- 2.2 These provisions are not intended to be restrictive or to provide definitive guidance on screening, searching, metal detecting arches and confiscation. Where any doubt exists as to the action to be taken, contact should be made with the College's Campus Safeguarding lead, Group Head of safeguarding or College Group DSL.
- 2.3 This Policy is implemented throughout all campuses and premises owned, occupied or managed by New City College.

3.0 Legislative requirements

- 3.1 There are several pieces of legislation which contain elements relating to screening, search and confiscation powers of staff in further education colleges and these include:
 - Health & Safety at Work etc. Act 1974

- Management of Health & Safety at Work Regulations 1999
- Further and Higher Education Act 1992
- Education Act 1996
- Education and Inspections Act 2006
- Education Act 2011
- Apprenticeships, Skills, Children and Learning Act 2009
- Misuse of Drugs Act 1971
- Searching, Screening and Confiscation Advice for schools July 2022
- Screening, Searching and Confiscation: Advice for Campus Principals and Staff of Further Education Colleges, Sixth Form Colleges and 16-19 Academies

4.0 Screening (including metal detecting arches and wand)

- 4.1 The College can require students to undergo screening by a walk through or hand-held metal detector (arch or wand) even if they do not suspect them of having a weapon.
- 4.2 The College has the statutory power to make rules in regard to student behaviour and its duty as an employer to manage the safety of its staff, students and visitors enables the College to impose a requirement that students may be asked to undergo screening.
- 4.3 Screening using arches or wands is only carried out by College Security staff, Deputy Campus Principal, Senior Safeguarding team, members of the Group Strategic Forum and only following authorisation by a Campus Principal and/or DSL - once they have received the appropriate training. There must always be a minimum of two staff present.
- 4.4 If a student refuses to be screened, the College may refuse to have the student on the campus. Health and safety legislation require the College to be managed in a way which does not expose students or staff to risks to their health and safety and this includes making reasonable rules as a condition of admittance.
- 4.5 This type of screening, without physical contact, is not subject to the same conditions as apply to the powers to search without consent. Students must consent and be clear of their right to refuse.
- 4.6 The College has a separate protocol regarding the processes of screening. The College Campus Principal will ensure staff are aware of and appropriately trained to carry out this protocol. This can be found on Staff Intranet under: "Standard Operating Procedure for Search, Metal Detecting Arch, Screening and Confiscation".
- 4.7 Information will be provided to students regarding this policy during induction and tutorial.

5.0 Searching

- 5.1 The law makes provision, within certain parameters, for the College to search

a student for any item if the student agrees. In all instances, the College will only carry out searches only with the consent of the student.

5.2 Students should be asked for their permission to be searched, with access to the campus denied/withdrawn. Further disciplinary or safeguarding action may be taken dependent on the concern.

5.3 Prohibited items for students include:

- Knives or weapons;
- Illegal drugs, or illegal drug paraphernalia;
- Stolen items
- 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 property of; any person (including the student).
- Alcohol;
- Tobacco or vaping products (for under 18s);
- Fireworks;
- Pornographic images

5.4 If students are found in possession of prohibited items, they may face Disciplinary action, and potential exclusion, as laid out in the College student code of conduct and Disciplinary procedure.

6.0 Authorisation and justification to search

6.1 The College Campus Principal and/or DSL has the final decision on deciding who to authorise to use the powers to search. The Campus Principal does not have to provide this authorisation in writing. The Principal cannot carry out the search themselves.

6.2 Primarily authorisation will be granted to Deputy Campus Principals, Senior Safeguarding team and members of the Group Strategic Forum, once they have received the appropriate training.

7.0 Location of a search

7.1 Searches (with consent) can only be carried out on the College premises or, if elsewhere, where the member of staff has lawful control or charge of the student, for example during college trips or in training settings.

7.2 Students have the right to expect a reasonable level of personal privacy and respect, so all searches, wherever possible, should be conducted in a non-public area / not in front of peers or members of the public and with a minimum of two staff present.

7.3 However, there may be occasions where the College need to carry out searches in a more public environment e.g., during screenings. Students can ask to have their things checked in a non-public area if they prefer, however

areas for this should not be confined and should be identified in advance, for example behind a screen and with a minimum of two staff present.

8.0 Category of a search

- 8.1 The member of staff conducting the search is not permitted to require the student to remove any clothing other than outer clothing, for example coats, hats, shoes, boots, gloves and scarves. They must remove this themselves.
- 8.2 Outer clothing means clothing that is not worn next to the skin or immediately over a garment that is being worn as underwear, or clothing such as coats, hats, shoes, boots, gloves and scarves.
- 8.3 'Possessions' means any goods over which the student has or appears to have control, which includes desks, lockers and bags.
- 8.4 Searches must be carried out by two members of staff present and consideration should be made to make it a reassuring and a safe process for all.

9.0 After a search: The power to seize and confiscate Items

- 9.1 The members of staff who conduct the search can use their discretion to confiscate any item found as a result of a search so long as it is reasonable in the circumstances and has been handed over by the student during a consensual search.
- 9.2 The staff member should take appropriate actions in reporting the item to the authorities, or if appropriate to do so – return to the student at a later point. In addition, this must be reported to the Campus Principal and/or DSL and Deputy Campus Principal.

10.0 Training

- 10.1 As part of the duty of care to the health, safety and wellbeing of staff and students in the College it is the responsibility of the Campus Principal and/or DSL and Deputy Campus Principal to ensure that all staff are given guidance and training before being authorised to conduct searches and metal detecting arches.
- 10.2 Training is undertaken by a competent provider or trained member of staff. No member of staff should conduct any form of search unless they have received the appropriate training and have the express permission of the Campus Principal and/or DSL and Deputy Campus Principal.

11.0 Record keeping

- 11.1 There is not a legal requirement to make or keep a record of a search, however it is widely considered good practice to do so. New City College documents any planned and ad hoc searches conducted (i.e., those carried out, outside of any 'screening' process, although would include any individual searches as part of process).
- 11.2 The following details are recorded:
 - Name, student ID number;
 - Grounds of suspicion / justification;
 - Time and place;

- Who conducted the search;
 - Who else was present;
 - Outcomes and follow up actions (if any).
- 11.3 The College is not required to inform parents / guardians of students under 18 before a search takes place or to seek their consent to search their child if it is part of a full college screening process and if there is no-contact searching. However, it is good practice for the College to inform the parents or guardians of students under the age of 18 when alcohol, illegal drugs, tobacco products, fireworks, pornography or potentially harmful substances are found. They should also inform parents / guardians if 121 searches took place as a result of the screening or metal detecting arch process.
- 11.4 Where a student is of statutory school age, and also attending school, the College will inform the school when a search has taken place and if any of the items above have been found.
- 11.5 Complaints about screening, metal detecting arch, searching or confiscation should be dealt with through the College Complaints Procedure.

12.0 Police presence and searches onsite

- 12.1 A member of SMT, Deputy Campus Principal or Senior Safeguarding team must be informed immediately regarding any Police presence onsite.
- 12.2 It is best practice that the School/College Police Liaison Officer lead on all Police operations related to the College and its students.
- 12.3 The College do not endorse police searches onsite, and ask the police not to search students whilst on college property.
- 12.4 The College reserves the right to not allow police to search, interview or arrest students on site unless there is the threat to life (and the college should receive notification of this in writing advance).

13.0 Role of appropriate adult

- 13.1 If a Police Officer initiates a search, interview or arrest of a students under the age of 18 (or up to 25 for those with an EHCP), the lead staff member liaising with the Police will identify an 'appropriate adult' to advocate on their behalf.
- 13.2 The role of an appropriate adult includes:
- safeguarding the interests, rights, entitlements and welfare of children and vulnerable adults who are suspected of a criminal offence by ensuring that they are treated in a fair and just manner and are able to participate effectively.
 - appropriate adults are not merely passive observers or witnesses, but are 'expected to be an active participant'.
 - 'In order to be effective, they need to be assertive and speak up' to protect the rights of the student and ensure they are treated with fairness and respect.

14.0 Wandering for mobile phones – exams

- 14.1 In line with JCQ regulations the College may be required to carry out ‘wandering’ before admitting students to an examination room. This will be for the purpose of checking if the student is in possession of a mobile phone/electronic device.
- 14.2 This is to be conducted openly and to every student in order to conduct an open and transparent process, in line with as far as the JCQ regulations.

15.0 Misuse of this policy and guidelines

- 15.1 Any misuse or breach of this Policy may lead to action being taken under New City College’s Disciplinary Policy.

16.0 Regular equality impact assessment (EIA):

- 16.1 In order to ensure appropriate administration of this policy, an annual equality impact assessment will be carried out by the DSL / Group Head of Safeguarding reported to SMT annually.
- 16.2 The Group Head of Safeguarding will review all data to carry out an annual Equality Impact Assessment, reporting to the Equality Steering Group. The Equality Steering Group will make further recommendations based on the Equality Impact Assessment.

17.0 Policy & guidelines review

- 17.1 It is the responsibility of the DSL with support from the Group Head of Safeguarding to monitor and review this Policy and guidelines, and to present any necessary changes to the Senior Management Team.
- 17.2 This Policy and Guidelines document is reviewed every year or in the event of any significant operational changes within the business, following a serious incident or due to a significant change in legislation.

The college acknowledges the potential negative impact of screening, metal detecting arches, searches and confiscation can have on a student and therefore aims to limit these processes, balanced with the overall safety of the student and staff bodies, in the following ways;

- Training on screening, metal detecting arches, searches and confiscation for all staff involved
- Training on adultification bias and unconscious bias for all staff involved
- Training on the role of the appropriate adult where appropriate and appropriate adult roles to be identified at each campus
- Termly metal detecting arches and ad hoc searches to be non-contact and in line with the college’s procedures and process
- “Stop & Talk” and Trauma Informed approached to be the first point of call and exhausted before screening, metal detecting arches, searches and confiscation, in line with the college’s procedures and process