

## **POWERS TO SEARCH STUDENTS FOR WEAPONS**

From 31<sup>st</sup> May 2007 headteachers and staff authorised by them will have new powers to search pupils and / or their possessions, without their consent, when they have reasonable grounds for suspecting that the student is carrying a knife or offensive weapon.

The powers are given by a new section which has been added to the Education Act 1996 and school staff **MUST** follow all the rules set out in it when conducting a search. Schools should normally only use the powers when they have exhausted all other options, including questioning and asking the student to surrender the weapon.

The most important features of the new law are as follows:

1. There must be reasonable grounds for suspecting that the student has with him or amongst his possessions a knife or offensive weapon. A knife includes any article which has a blade or is sharply pointed (other than a folding pocket knife with a blade of less than three inches) and an offensive weapon includes a weapon made to cause injury or an article adapted to cause injury or any other article intended to be used to cause injury.
2. Only the headteacher or staff authorised by him or her can carry out a search and staff members cannot be required to carry out a search.
3. Two members of staff must be present to carry out the search including at least one of the same sex as the student in the case of a search of the student.
4. The power to search enables a personal search including removing outer clothing and searching pockets and 'patting down' over clothing (which we advise should be done by a member of staff of the same sex as the student being searched) but no more intimate searching.

In every instance of a search being carried out under these powers it will be recorded in an incident book confirming, as a minimum, the names of the staff involved, the fact that they are specifically authorised and the grounds for the suspicion that the pupil had a weapon.