

1.10.3 Searching Children and their Belongings

Regulations and standards

England

- [Regulation 6: The quality and purpose of care standard](#)
- [Guide to the quality and purpose of care standard](#)
- [Regulation 7: The children's wishes and feelings standard](#)
- [Guide to the children's wishes and feelings standard](#)

Wales

- [Social Services and Well-being \(Wales\) Act 2014](#)
- [Regulation 25: Respect and sensitivity](#)
<https://www.legislation.gov.uk/wsi/2017/1264/regulation/25/made>
- [Regulation 59: Records](#)
<https://www.legislation.gov.uk/wsi/2017/1264/regulation/59/made>

Outcome statement

Children's privacy is respected and information is confidentially handled.

RELATED GUIDANCE

Incidents Guidance summarises what constitutes an Incident, provides guidance on recording of Incidents, notifications and management reviews.

Managing Behaviours Policy takes account of the Department of Health (1993a) Guidance on Permissible Forms of Control in Children's Residential Care.

Offending and Anti-Social Behaviour – Guidance on when to Involve the Police Procedure

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1. Searching

It may be appropriate to conduct a search of a child or a child's belongings if there is reasonable cause to believe that the child has concealed weapons, illegal drugs other items which may place the child or others at risk of injury.

1.1 Searches with Co-operation

If there is a suspicion that such items are concealed, staff should try to obtain them with the child's co-operation.

Before conducting such a search, staff should consult their own supervisor/manager and the child's social worker. Two staff/carers should be present during the search, one of whom should be the same gender as the child, and the child should be present.

Only outer garments may be searched. More intimate searches may only be conducted by the Police or with the authorisation of the Court.

When conducting searches, reasonable precautions must be taken to protect against possible sharp or dangerous objects that may be concealed.

If weapons or any dangerous or offensive items are found, they must be confiscated and passed to the Manager.

1.2 Searches without Co-operation

If the child does not co-operate, or is likely not to, a search may be undertaken without the child's co-operation or knowledge.

Unless there are **exceptional circumstances**, the Manager and child's social worker must be consulted and come to a decision about the actions that may be taken. It may be appropriate to consult relevant Line Managers.

When coming to a decision on the actions that will be taken, the managers/social worker(s) must take account of the following:

- Two staff/carers must be present, one of whom must be the same gender as the child, and the child if possible;
- When conducting searches, reasonable precautions must be taken to protect against possible sharp or dangerous objects that may be concealed;
- If weapons or any dangerous or offensive items are found, they must be confiscated and passed to the Manager/Supervising social worker or child's Social Worker.

Exceptional Circumstances

If there is an immediate risk of Injury or Significant Damage to Property, staff/carers may take what actions they deem to be appropriate to protect themselves or others. As a Last Resort, this can include the use of **Physical Intervention** in order to search a child, and the entering of a child's bedroom without their knowledge. However, staff/carers must only take such actions if it is safe to do so and their actions comply with the provisions/procedures set out in **Managing Behaviours Policy**. If there is a risk that an offence may be committed, the Police must be called (See: **Offending and Anti-Social Behaviour – Guidance on when to Involve the Police Procedure**)

2. Notifications and Management Review

There are different notifications procedures for searches concluded with and without children's co-operation.

2.1 With Children's Co-operation

Searches undertaken with the child's co-operation, where no force is used, must be notified to the Manager at the first opportunity; the manager will decide whether to inform the relevant social worker.

2.2 Without Children's Co-operation

Searches conducted without the child's co-operation, where a level of force has been used, is an Incident and must be notified to the Manager and relevant within 24 hours or as soon as practicable thereafter.

The social worker should decide whether to inform the child's parent(s) and, if so, who should do so.

Depending on the seriousness of the Incident, other people/agencies may have to be notified, see **Delegated Authorities and Notifiable Events**.

All searches conducted without the child's co-operation must be subject to a Management Review, as set out in **Section 5, Incidents - General Guidance**.

3. Recording

Searches should be noted in the home's Daily Log, and relevant child's Daily Record.

For room searches, all documentation should be cross-referenced from the Daily Log Book to the Room Search Log and Incident Report Book.

The details, which must be included in the Detail Record, are:

- a. The time and date of the search;
- b. The reason or suspicions which led to the need to conduct the search;
- c. Who conducted the search and whether the child or others were present;
- d. Whether the child cooperated;
- e. What was found, and whether items found were retained/confiscated;
- f. If items were retained/confiscated, where they were stored.

All those present including the child must sign the Detail Record, whether or not s/he was present.

Where the search has been conducted without the child's cooperation consideration needs to be given to whether or not this amounts to an Incident, and if so, see procedures outlined in **Incidents - General Guidance**.

Revision History

Date last updated: May 2020

Date of next review: May 2021

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End