STOCKSBRIDGE HIGH SCHOOL

This is Just the Start

Searching, Screening and Confiscation Policy

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Contents

Changes to this edition 1

1. Purpose 2
2. Legal Framework 2
3. Roles and Responsibilities 3
4. Screening 5
5. Authorising members of staff 6
6. List of prohibited and banned items 6
   - Prohibited items 6
   - Banned items 7
7. Searching with consent 7
8. Searching without consent 7
9. Privacy 8
10. During the search 9
11. Physical intervention 10
12. Strip Searches 10
13. After the search 12
    - Confiscation, retention and disposal of prohibited items 12
    - Aftercare following a strip search 13
14. Recording a search 13
15. Informing parents 14
16. Electronic devices 15
    - Child sexual abuse images 15
17. Staff conduct 17
18. Monitoring and Evaluation 18
19. Equality Impact Assessment 18

Changes to this edition

- Update to screening
- Update to searching without consent
- Update to during the search
- Update physical interventions policy to restrictive interventions policy

1. Purpose

Stocksbridge High School appreciates that students have the right to expect a reasonable level of personal privacy and will do its utmost to ensure that, as far as possible, this right is respected. We aim to ensure that members of staff have the confidence to search and screen students, and to confiscate items as necessary, and that this is enacted in a calm, safe and supportive manner.

Nevertheless, the school also takes seriously its obligation under health and safety legislation for searching, screening and confiscation to be managed in a way which does not expose students or staff members to unnecessary risks.

This policy sets out the framework in which the school will meet this obligation by outlining the circumstances in which students can be screened and searched. The policy also outlines the legal powers to seize and confiscate items during a search.

2. Legal Framework

This policy has due regard to all relevant legislation and statutory guidance including, but not limited to, the following:

- Health and Safety at Work etc. Act 1974
- Education Act 1996
- Education and Inspections Act 2006
- The Schools (Specification and Disposal of Articles) Regulations 2012
- The School Behaviour (Determination and Publicising of Measures in Academies) Regulations 2012
- European Convention on Human Rights
- DfE (2023) 'Searching, Screening and Confiscation'
- DfE (2013) 'Use of reasonable force'
- DfE (2023) 'Behaviour in Schools'
- DfE (2026) 'Keeping children safe in education 2026'
- DfE (2024) 'Schools and college security guidance'
- DfE (2018) 'Equality Act 2010: advice for schools'
- DfE (2023) 'Working together to safeguard children'
- DfE (2012) 'Drugs: advice for schools'

This policy operates in conjunction with the following school policies:

- Behaviour Policy
- Suspensions and Exclusions Policy
- Complaints Procedures Policy
- Disciplinary Policy and Procedure
- CCTV Policy
- Child Protection and Safeguarding Policy
- Allegations of Abuse Against Staff Policy
- Restrictive Interventions Policy

3. Roles and Responsibilities

The governing board will be responsible for:

- Ensuring this policy is implemented within the school and its effectiveness is monitored.

The Headteacher will be responsible for:

- Authorising members of staff to search students for prohibited items and items banned by the school, according to its policies; ensuring that this complies with guidelines set out in Government policy.
- Ensuring the procedures in this policy are implemented consistently across the school.
- Assessing on a case-by-case basis whether a search should be undertaken by a member of security staff.
- Overseeing the school's practice of searching to ensure that a culture of safe, proportionate and appropriate searching is established and maintained.
- Ensuring the DSL is called on for support during, or after, searching, as appropriate.
- Ensuring a sufficient number of staff are appropriately trained on how to lawfully and safely search a student, including managing students who are not co-operating with the search.
- Ensuring all staff understand their rights and the rights of any students being searched.
- Ensuring the DSL (or their deputy) is informed of any instances where a staff member had reasonable grounds to suspect that a student was in possession of a prohibited item.
- Advising staff on what to do if they believe a search is necessary but is not required urgently, e.g. keeping the student supervised and away from others.
- Determining whether searches for items banned by the school's policies should be recorded.
- Consulting with the local police prior to installing and using any devices for the purposes of screening.
- Ensuring parents and students are informed about the use of screening devices prior to their use, and the reasons why any devices need to be used.
- Ensuring that prohibited items and items banned by the school are outlined in the relevant policies and are communicated with staff, parents and students.
- Reviewing this policy on an annual basis.

The Designated Safeguarding Lead (DSL) will be responsible for:

- Managing any safeguarding concerns that are raised by staff members who have conducted a search and by students subject to a search.
- Making referrals, in line with the school's safeguarding procedures, where there is evidence from a search that a student is at risk of harm.
- Ensuring procedures are in place, and are being followed, for when a safeguarding incident arises.
- Ensuring procedures are in place for staff to alert them of instances when they had reasonable grounds to suspect a student was in possession of prohibited items and when a prohibited item has been found.
- Considering the circumstances of any students who are at risk of harm as a result of the search to assess whether there is a wider safeguarding concern.
- Advising staff on what to do if they believe a search is necessary but is not required urgently, e.g. keeping the student supervised and away from others.
- Advising staff on any aftercare required by a student as a result of a search.
- Recording searches for prohibited/banned items on CPOMS.

Staff members will be responsible for:

- Acting in line with this policy when screening or searching a student or confiscating items.
- Ensuring that the culture of safe, proportionate and appropriate searching is maintained.
- Adhering to the relevant guidance and policies, and familiarising themselves with which items are prohibited and/or banned by the school.
- Ensuring they implement sanctions fairly, proportionately, and in line with the Behaviour Policy.
- Raising safeguarding concerns with the DSL (or their deputy) as soon as reasonably practicable.
- Maintaining their duty of care for any students subject to a search, including a strip search, and protecting their welfare at all times.

4. Screening

Under the school's statutory power to make rules on student behaviour and the duty to manage the safety of staff, students and visitors, the school can impose a requirement that students undergo screening. All members of staff will have the authority to screen students.

Before the installation of any technology for the purpose of screening students, the Headteacher will consult with the local police about whether the devices are appropriate.

Screening equipment (if applicable – this includes the use of wands for exam purposes)

The screening of students via a device without their consent will be permitted, even if it is not suspected that they are in possession of a weapon.

Parents and students will be informed in advance of the installation of any screening practices, to explain the purpose of the screening and what it will involve. This includes the use of any Wands for exam purposes.

Where a student has additional needs or a disability, the school will ensure reasonable adjustments are made to the screening process. The school will also consider the age of students being screened.

Where a student refuses to be screened, a member of staff will make an assessment of whether it is necessary to conduct a search.

Pupils who refuse to be screened will be appropriately sanctioned in line with the Behaviour Policy and may be moved to a safe area away from others. They **will not** be prevented from being on the school premises and/or sent home. They will not be prevented from sitting public examinations unless the Headteacher deems there to be a significant risk to themselves or others. The Headteacher should make an informed judgement as to whether the Police need to be called at this stage.

5. Authorising members of staff

Only the Headteacher and authorised members of staff have the authority to search students without their consent. Staff members authorised by the Headteacher with these powers are:

- Mrs Briggs
- Mrs Johnson
- Mr Clark

Staff members, other than security staff, will be permitted to refuse to undertake a search.

If a member of security staff or a Police Officer, who is not a member of school staff searches a student, a permanent member of school staff will witness the search. The member of security staff and the Police Officer will follow the procedures set out in this policy and the DfE's guidance on searching.

The Headteacher will make clear which items each authorised staff member is permitted to search for, e.g. a member of staff could be authorised to search for stolen property, but not for weapons.

When deciding which members of staff will be authorised to undertake searches under these powers, the Headteacher will consider whether each member of staff requires any additional training to enable them to carry out their responsibilities safely and lawfully.

6. List of prohibited and banned items

Prohibited items

Prohibited items include but are not restricted to:

- Knives or weapons
- Alcohol
- Illegal drugs
- Stolen items
- Tobacco and cigarette papers
- Vapes
- Fireworks
- Pornographic images or child sexual abuse images
- Any item that a 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 the property of, any person (including themselves)
- Any age restricted items

Banned items

Banned items include but are not restricted to:

- Legal highs
- Aerosol cans
- Paint thinners
- Non-prescribed hypodermic needles

7. Searching with consent

Any member of staff will have the authority to search students for any item, **if the student consents**. Formal written consent will not be required for this sort of search and informed verbal consent will suffice. All staff members will ensure that any student subject to a search with consent understands the reason for the search and how it will be conducted.

Searches with consent will be undertaken on the basis that a student is, or is suspected to be, in possession of a prohibited or banned item as identified in this policy and the school's Behaviour Policy.

Searches with consent will be implemented consistently, proportionately, fairly, and in line with this policy at all times.

The school will ensure that banned items are made clear in communications with parents.

If a member of staff suspects a student is in possession of a banned item, the student will be instructed to turn out their pockets, desk and/or bag.

When exercising their authority to search with consent, staff members will assess and consider the age and needs of the student being searched. Where required, reasonable adjustments will be put in place where a student has additional needs or a disability.

8. Searching without consent

The Headteacher and authorised staff have the statutory power to search students or their possessions, without consent, where they have reasonable grounds for suspecting that the student may be in possession of a prohibited item. The staff member will decide what constitutes reasonable grounds for suspicion on a case-by-case basis.

An item banned by the school rules will only be searched for without consent if it is identified in this policy and/or the school's Behaviour Policy that it is an item that can be searched for.

Staff members who are not authorised by the Headteacher to implement searches without consent will not do so. Where a search is required, and the student does not give their consent to be searched, unauthorised staff members will contact an authorised member of staff immediately.

Authorised members of staff will assess whether a search without consent is needed urgently and consider the risk to staff and other students if a search is not conducted.

Before a search without consent is conducted, the authorised member of staff will explain to the student why they are being searched and how the search will take place. They will also provide the student an opportunity to ask any questions.

Where possible, the authorised member of staff will seek the co-operation of the student prior to the commencement of the search without consent. If the pupil is not willing to co-operate with the search, the authorised member of staff will consider why this is. Reasons might include that they are in possession of a prohibited item, do not understand the instruction, are unaware of what a search may involve, or have had a previous distressing experience of being searched. The pupil may be sanctioned in line with the Behaviour Policy if they continue to refuse to co-operate.

If the authorised member of staff still considers a search to be necessary, but is not required urgently, they should seek the advice of the headteacher, DSL (or deputy) or a member of staff who may have more information about the pupil. During this time the pupil will be supervised and kept away from other pupils.

If the pupil still refuses to co-operate, the member of staff should assess whether it is appropriate to use restrictive intervention to conduct the search.

9. Privacy

Students must only be searched by staff members who are the same sex as them. All searches will be witnessed by another member of staff who will be, where possible, the same sex as the student being searched.

Where a staff member is not the same sex as the student subject to a search, they will summon a staff member of the same sex as the student, where practicable. The summoned staff member will be the one to conduct the search.

A search will only be conducted by a person who is not the same sex as the student being searched, or without a witness, where:

- The staff member reasonably believes that there is a risk of serious harm if the search is not conducted immediately **and**;
- It is not reasonably practicable to summon another member of staff.

Under the exceptional circumstances outlined above, the member of staff conducting the search will consider that a student's expectation of privacy increases as they get older.

When a member of staff conducts a search without a witness, they will report the search immediately to another member of staff and ensure there is a record kept of the search on CPOMS.

The school may consider the use of CCTV footage in order to decide whether to conduct the search for an item. Any CCTV usage will be conducted in line with the school's Surveillance and CCTV Policy.

Authorised staff members will ensure that an appropriate location on the school premises is used for searching. Where possible, this location will be away from other students. Searches will only be undertaken off school premises where the authorised staff member has lawful control of the student, e.g. on a school trip.

10. During the search

Definitions:

- **"Outer clothing"** – clothing that is not worn next to the skin or immediately over a garment that is being worn as underwear, e.g. hats, shoes, gloves.
- **"Possessions"** – any goods over which the student has or appears to have control, including desks, lockers and bags.

A pupil's possessions, their locker or desk or other personal spaces at the school can be searched provided the pupil agrees. The school will make it a condition of having the locker or space that the pupil agrees to have these searched. If the pupil withdraws their agreement to search, a search may be conducted both for prohibited items and any items identified in the school rules for which a search can be made.

A pupil's possessions will only be searched in the presence of the pupil and another member of staff, except where there is a risk that serious harm will be caused if the search is not conducted immediately and it is not reasonably practicable to summon another member of staff.

Staff will always remain aware that the power to search without consent **only** enables a personal search involving the removal of outer clothing and the searching of pockets, desks, lockers, etc. Staff will never conduct an intimate search, and remain aware that only a person with more extensive powers, i.e. a police officer, can conduct an intimate search.

If a student does not consent to a search or withdraws their consent, then they may be subject to a search without consent, but only for prohibited items.

11. Physical intervention

Members of staff will only be permitted to use physical intervention when conducting a search for prohibited items, but will not use force to search for items banned only under school rules.

Physical intervention will be used on a case-by-case basis only.

Searches that require physical intervention will be conducted in line with the Trust Restrictive Intervention Policy.

12. Strip Searches

The definition of a **"strip search"** is a search that involves the removal of more than outer clothing.

Staff members will never conduct a strip search on a student – strip searches will only be conducted by Police Officers.

Strip searches on school premises can only be carried out by police officers under the Police and Criminal Evidence Act 1984 (PACE) Code A and in accordance with the Police and Criminal Evidence Act 1984 (PACE) Code C. 12 While the decision to undertake the strip search itself and its conduct are police matters, school staff retain a duty of care to the student(s) involved and should advocate for student wellbeing at all times.

During a strip search, members of staff will maintain their duty of care to the student and will advocate for their wellbeing at all times.

Before calling police into school, staff should assess and balance the risk of a potential strip search on the student's mental and physical wellbeing and the risk of not recovering the suspected item. Staff should consider whether introducing the potential for a strip search through police involvement is absolutely necessary, and should always ensure that other appropriate, less invasive approaches have been exhausted. Once the police are on school premises, the decision on whether to conduct a strip search lies solely with them, and the role of the school is to advocate for the safety and wellbeing of the student(s) involved.

Strip searches will only be considered where:

- It is absolutely necessary to undertake this type of search, **and**;
- Where other, less invasive approaches cannot be conducted or have already been exhausted, **and**;
- It is deemed necessary by a **police officer** to recover an item related to a criminal office and they have reasonable grounds to suspect the student has concealed the item.

Unless there is an immediate risk of harm and where reasonably possible, staff should inform a parent of the student suspected of concealing an item in advance of the search, even if the parent is not acting as the appropriate adult.

Parents should always be informed by a staff member once a strip search has taken place. Schools should keep records of strip searches that have been conducted on school premises and monitor them for any trends that emerge

Strip searches will be conducted in a private area of the school, away from others.

Except in cases of urgency where there is risk of serious harm to the student or others, whenever a strip search involves exposure of intimate body parts there must be at least two people present other than the student, one of which must be the appropriate adult. If the student's parent would like to be the appropriate adult, the school should facilitate this where possible. Police officers carrying out the search must be of the same sex as the student being searched.

An appropriate adult not of the same sex as the student being searched may be present if specifically requested by the student. Otherwise, no-one of a different sex to the student being searched is permitted to be present, and the search must not be carried out in a location where the student could be seen by anyone else. A record should be kept of this decision.

Except in urgent cases as above, a search of a student may take place without an appropriate adult only if the student explicitly states in the presence of an appropriate adult that they do not want an appropriate adult to be present during the search and the appropriate adult agrees. A record should be made of the student's decision and signed by the appropriate adult. The presence of more than two people, other than an appropriate adult, shall be permitted only in the most exceptional circumstances.

Strip searching can be highly distressing for the student involved, as well as for staff and other students affected, especially if undertaken on school premises. PACE Code C states that a strip search may take place only if it is considered necessary to remove an item related to a criminal offence, and the officer reasonably considers the student might have concealed such an item. Strip searches should not be routinely carried out if there is no reason to consider that such items are concealed.

Records of all strip searches will be kept and monitored on CPOMS by the school.

13. After the search

Staff members will use their discretion to confiscate, retain and/or destroy any item found due to a search with the student's consent, so long as it is reasonable in the circumstances. Where any item is reasonably suspected to be an offensive weapon, it will be passed to the police.

Staff members will be legally protected from liability in any proceedings brought against them for any loss of, or damage to, any item they have confiscated, provided they acted lawfully.

Confiscation, retention and disposal of prohibited items

Staff members carrying out a search will be permitted to seize any item they have reasonable grounds for suspecting is a prohibited item or is evidence in relation to an offence.

When a staff member conducting a search finds:

- **Alcohol**, they will retain or dispose of the item as they see appropriate; the alcohol will not be returned to the student or their parent/carer
- **Controlled drugs**, they will deliver them to the police as soon as possible; however, they may also be disposed of if the staff member thinks there is a good reason to do so.
- **Other substances** which are not believed to be controlled drugs, they will confiscate them if they believe them to be detrimental to behaviour, discipline and safety.
- **Stolen items**, they will deliver these to the police as soon as possible or return them to the owner if they think there is a good reason to do so.
- **Tobacco cigarette papers or vapes**, they will retain or dispose of them; they will not be returned to the student or their parent/carer
- **Fireworks**, they will be retained or disposed of, but not returned to the student or their parent/carer
- A **pornographic image**, they will dispose of the image unless there are reasonable grounds to suspect that its possession constitutes a specified offence, i.e. the image is extreme or is a child sexual abuse image; in these cases, the staff member will deliver the image to the police as soon as possible.
- An item that has been, or is likely to be, **used to commit an offence or to cause personal injury or damage to property**, they will deliver the item to the police, return the item to the owner, or retain or dispose of the item.
- **Weapons or items which are evidence of an offence**, they will pass the item to the police as soon as possible.

It is at the discretion of authorised staff to decide whether there is a 'good reason' not to deliver stolen items or controlled drugs to the Police. In determining what a good reason is, the member of staff will take into account all relevant circumstances and use their professional judgement to determine whether they can safely dispose of the item.

Where the member of staff is unsure of the legal status of a substance and has reason to believe it may be a controlled drug, the item will be treated as such.

In relation to stolen items, the police will not be involved in dealing with low-value items, e.g. pencil cases; however, it may be appropriate for the school to contact the police if high-value items, e.g. laptops, or illegal items, e.g. fireworks, are involved.

Aftercare following a strip search

Students subject to a strip search will be provided with appropriate support, regardless of whether a prohibited item is found. Safeguarding processes will be followed where necessary, giving attention to the student's wellbeing. The DSL will be involved in any safeguarding processes.

Students subject to a strip search will always be given the opportunity to ask questions about the search and express their views following it.

Staff will give particular consideration to the wellbeing and safeguarding of any students and/or groups of students who have been subject to a strip search with unusual frequency. Where required, preventative approaches will be put in place in order to avoid harm to the identified student, or group of students', wellbeing.

14. Recording a search

All searches for prohibited items and those conducted by Police Officers will be recorded via the school's safeguarding systems (CPOMS).

Records of searches for prohibited items, both by staff and by the Police, will include:

- The date, time and location of the search
- The name of the student subject to the search
- The name of the individual who conducted the search
- The name of any other adults or students present during the search
- The item being searched for
- The reason for the search
- Whether the item was found
- Any other items found
- What follow-up actions were taken as a consequence of the search

All searches for banned items **must** be recorded on CPOMS.

15. Informing parents

The student's parents will be informed when a search of their child is conducted in order to recover prohibited items.

In some circumstances, the school may need to inform the student's parents about the search for a banned item, e.g. in the interests of safeguarding the student.

Where a strip search is requested, the school will inform the student's parents of the search **before** it is conducted, unless there is an immediate risk of harm. Where there is an immediate risk of harm, the student's parents will be informed about the strip search as soon as possible.

Complaints about searching, screening or confiscation will be managed via the school's complaints procedure, in line with the Complaints Procedures Policy.

16. Electronic devices

If an electronic device that is prohibited by the school rules or that is reasonably suspected to have been, or is likely to be, used to commit an offence or cause personal injury or damage to property is found during a search, the staff member is permitted to examine any data or files on the device where there is good reason to do so.

Parental consent is not required in order to search a student's electronic device if it has been seized in a search without consent.

Staff will consider whether an appropriate safeguarding response is required if they reasonably believe that any images, data or files found on a student's electronic device is likely to put others at risk. The staff member will involve the DSL immediately where this is the case.

Staff members have the authority to delete data or files if they believe there is a good reason to do so, unless the device is suspected to be relevant to an offence, or contains child sexual abuse images. In these cases, files and data will not be deleted and the device will be given to the police.

It will be considered a good reason if the staff member reasonably suspects that the data or files on the device have been, or could be, used to cause harm, disrupt teaching or break the school rules.

Any electronic device that has been seized which is prohibited by the school rules, and there are reasonable grounds to suspect that it contains evidence relating to an offence, will be given to the police as soon as possible.

If a member of staff does not find any material they suspect is evidence in relation to an offence, and decides to not give the device to the police, they are permitted to decide whether it is appropriate to delete any files or data from the device or retain the device as evidence of a breach of school rules.

Child sexual abuse images

Staff will be aware that creating, possessing, and distributing child sexual abuse images is a criminal offence, regardless of whether the imagery is created, possessed, and distributed by the individual depicted; however, staff will ensure that students are not unnecessarily criminalised.

Where a member of staff becomes aware that an electronic device they are searching involves child sexual abuse images, they will refer this to the DSL as soon as possible and will:

- Refrain from viewing, copying, printing, sharing, storing or saving the imagery.
- Confiscate the device and ensure it is securely stored.
- Inform the DSL immediately if they accidentally view a child sexual abuse image and seek support.
- Explain to the student being searched that the incident will need to be reported.
- Not blame or shame anyone involved, and reassure the student being searched that they can receive support from the DSL.
- Report the incident to the DSL.

The DSL will attempt to understand what the image contains **without viewing it** and the context surrounding its creation and distribution. They will categorise the incident into one of two categories:

- **"Aggravated"** – incidents which involve additional or abusive elements beyond the creation and distribution of youth produced child sexual abuse images, including where there is an adult involved, where there is an intent to harm the child depicted, or where the images are used recklessly.
- **"Experimental"** – incidents involving the creation and distribution of youth produced sexual images where there is no adult involvement or apparent intent to cause harm or embarrassment to the child.

For there to be a good and clear reason to view child sexual abuse imagery, the DSL will need to be satisfied that this action is:

- The only way to make a decision about whether to involve other agencies because it is not possible to establish the facts, e.g. the contents of the imagery, from the student(s) involved.
- Necessary to report it to a website, app or suitable reporting agency to have the image taken down, or to support the student or their parent in making a report.
- Unavoidable because the student has presented the image directly to a staff member or the image has been found on a school device or your school's network.

Where it is necessary to view the imagery, e.g. if this is the only way to make a decision about whether to inform other agencies, the DSL will:

- Never copy, print, share, store or save them as this is illegal – if this has already happened, they will contact the local police for advice and to explain the circumstances.
- Discuss the decision with the Headteacher or a member of the SLT.
- Make sure viewing is undertaken by them (or a deputy) or another member of the safeguarding team with delegated authority from the Headteacher or a member of the SLT.
- Make sure viewing takes place with another member of staff present in the room, ideally the Headteacher or a member of the SLT. This staff member does not need to view the images.
- Wherever possible, make sure viewing takes place on the school premises, ideally in the Headteacher's office or a member of the SLT's office.
- Make sure, wherever possible, that they are viewed by a staff member of the same sex as the student in the images.
- Record how and why the decision was made to view the imagery in the safeguarding or child protection records, including who was present, why the imagery was viewed and any subsequent actions.

Where the incident is categorised as 'aggravated', the situation will be managed in line with the school's Child Protection and Safeguarding Policy, and the police will be involved.

Where the incident is categorised as 'experimental', any students involved are supported to understand the implications of sharing youth produced sexual imagery and to move forward from the incident.

Where there is reason to believe that imagery being circulated will cause harm to a student, the DSL escalates the incident to the appropriate children's social care services. Where imagery of a student has been shared publicly, the DSL will work with the student to report the imagery to websites on which it has been shared and will reassure them of the support available.

17. Staff conduct

All staff members are expected to act in accordance with this policy. Any breach of this policy will be managed in line with the school's Disciplinary Policy and Procedure.

Staff members who conduct searches without consent but are not authorised to do so will be managed in line with the Disciplinary Policy and Procedure. Under no circumstances will a member of staff conduct the strip search of a student.

Staff members will consider the age, needs and wellbeing of students at all times during searching and screening procedures.

18. Monitoring and Evaluation

This policy will be reviewed on an **annual** basis by the Headteacher and chair of governors.

Any changes to this policy will be communicated to all members of staff, students and their parents.

19. Equality Impact Assessment

The Trust will carry out an Equality Impact Assessment in order to ensure that policies, procedures and practices cater for individuals who share protected characteristics in relation to the Equality Act 2010. The purpose of these assessments is to ensure that policies, procedures and practices within the organisation are fair to all. If unfairness is highlighted, the assessment will also seek to show how this can be changed and, where it can't be changed, how it can be improved.

The Trust will monitor the impact of the policy to assess whether there is evidence of a detrimental impact on anyone with a protected characteristic as a result of the application of this policy. The assessment will include consideration of adaptations or changes which can be made to address any issues identified.