


Policy No: 03-1104	Authorised: 	Date: 04/02/2020
RIGHT TO SEARCH STAFF		

This Policy will define the Company philosophy regarding the rights of Management to search persons and personal property during duty hours:

1. Management of the Organisation reserves the right to take all reasonable precautions to ensure the safety and security of service users and staff, and to safeguard the resources and Organisation's property. This can include the right to institute a search of an employee's identity, person and property at any time while that person is on duty. This may include the employee's vehicle.
2. Being subject to a search is an integral part of the employee's Contract of Employment.
3. All searches will be authorised by senior management. The document authorising the search(es) will detail the reason for the search(es), the dates on which it / they may be conducted, the personnel or department who are subject to the search, and those authorised to conduct the search(es). A copy of this document will be given to the staff member before the search is carried out.
4. The reasons for the search is also explained to each employee at the time the search is carried out. It is emphasised that requesting an employee to undergo a search does NOT necessarily imply suspicion, nor is it an accusation of guilt.
5. The staff member will be asked to sign an authorisation for the search to be undertaken.
6. Any employee reserves the right to refuse to be searched. However, as the Right of Search has been incorporated into the Staff Contract of Employment such a refusal may constitute a breach of contract unless, at the discretion of management, there are deemed to be mitigating circumstances for declining to be searched.
7. The search will take place in private. Those present will be the employee, the manager conducting the search, and another person not connected with the search.
8. All those involved in the search shall be of the same sex as the employee consenting to the search.
9. The mechanics of a search will involve requesting that the employee removes the contents of their pockets, bags, and briefcases. The employee may be asked to remove items of outer clothing such as coats and hats but nothing else.
10. For vehicles this may involve a search of the boot, glove compartment and under seats.
11. The management of the Organisation may call the police at any stage of the search should they find, or have a reasonable belief, that the employee is in possession of illegal items such as drugs or property (including documents, software or other electronic records) belonging to the company.
12. The company will keep a record of the search detailing the time, date, reason and outcome. A copy of the senior manager's authorisation for the search should be attached.