

Residential Accommodation: Search Policy

1. Introduction

- 1.1 The University of Kent regards student privacy as paramount, however it recognises that there will be situations where the duty of care over all residents as well as a responsibility for preventing unlawful actions from taking place in residences under its control necessitates the immediate entry to rooms in order to investigate alleged circumstances contrary to law or the accommodation license agreement.
- 1.2 This policy outlines the process the University will undertake to investigate circumstances such as these where a physical and detailed search of a room and its contents is deemed necessary.

2. Grounds for searching residential accommodation

- 2.1 Evidence may originate from a variety of sources which suggests illegal activity or prohibited items in a room, e.g. from fellow residents, cleaners, maintenance staff etc. Where there is suspicion of such activity, this information should be passed without delay to either the University Security Department (Campus Watch) or the College Master with responsibility for the location in question.
- 2.2 Student bedrooms will only be search by Campus Watch staff when there is significant evidence of illegal activity or activity which is contrary to the terms of the accommodation license agreement, concerning the room, or the license holder of the room in question. Examples of grounds for search include, but are not limited to:
 - 2.2.1 Significant evidence of illegal narcotics being consumed distributed or sold from the room in question.
 - 2.2.2 Allegations concerning an illegal or prohibited weapon being located in the room in question.
 - 2.2.3 Allegations regarding misappropriated property owned by the University of Kent being stored in the room in question.
 - 2.2.4 Allegations of items being located in the room in question which are prohibited by the terms of the accommodation licence agreement
- 2.3 When a room search is thought necessary, the College Master responsible for the accommodation in question will discuss these reasons together with any collated evidence with the University Security Manager, (or in his/her absence the Head of Facilities Management).

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- 2.4 Consideration will be given at this stage to referring the case to Kent Police where illegal activity is thought to be occurring. If decided that referring the case to Kent Police is necessary, this will be the responsibility of the University Security Manager (or nominated deputy). Should any referral to Kent Police result in a police investigation, then any subsequent action on the part of the University of Kent will be directed in consultation with the Police investigating officer
- 2.5 If after 2.4 above, the decision is taken not to refer the matter to Kent Police, or after contact has been made with Kent Police which results in no action being taken by the police, then the University Security Manager or the College Master responsible for the room in question will present the case together with any collated evidence to the Director of Student Services (or in their absence a senior member of University staff from Executive Group).
- 2.6 The Director of Student Services (or in their absence a senior member of University staff from Executive Group) will, on consideration of the evidence presented decide whether a search of the room in question is authorised.

3. Search Procedure

- 3.1 When a room search has been authorised in line with 2.6 above, the University of Kent Security Manager will convene a search team which will comprise:
 - 3.1.1 The College Master responsible for the location in question, or their nominated deputy, who shall bear witness to the search process.
 - 3.1.2 The Security Manager or nominated deputy, who shall oversee the procedural accurateness of the search,
 - 3.1.3 One Campus Watch Security Officer who will complete the search of the room,
 - 3.1.4 A second Security Officer who will video record the search for evidence continuity.
- 3.2 The 'search team' will initially knock on the door of the room in question and identify themselves to any occupant in the room. Should the door not be opened by any occupant of the room within a reasonable period of time, or if the room in question is thought to be unoccupied then entry will be facilitated by the use of a master key.
- 3.3 It shall not be necessary for the occupant of the room to be present for the search to be completed.

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- 3.4 Should the room be occupied by persons other than the license holder of the room in question, then the identity of those persons present will be obtained and they will then be required to leave the room.
- 3.5 Should the license holder of the room in question be present on entry, or return to the room at any stage during the search, then the reasons for the search will be communicated to this person by the University Security Manager.
- 3.6 The search shall be video recorded whether the room license holder is present or not. The recording will commence on entry to the room, and terminate when the search team have all vacated the room at the end of the search. Any persons present will be verbally notified that sound and images are being recorded. Recordings will be securely handled in accordance with the current University CCTV Policy.
- 3.7 If the room licence holder is present whilst the search is being undertaken, this person will be invited by the searching Security Officer to voluntarily submit to a personal search of clothing being worn on the body.
- 3.8 A methodical search of the room and contents will then be carried out by the searching Security Officer which will include but is not limited to:
 - 3.8.1 Surface areas such as shelves, desk space floor space -including any receptacles contained therein.
 - 3.8.2 Storage areas including drawers, cupboards and wardrobes and any receptacles contained therein.
 - 3.8.3 Luggage, holdalls and bags located in the room including contents.
 - 3.8.4 Clothing located in the room except that which is on the person unless explicit consent of the person is given agreeing to a search.
- 3.9 The search of the room will be carried out with due regard to the occupants dignity, with the room left in a state such as that which it was found prior to the search, wherever reasonably possible.
- 3.10 A continual written record of the search process will be completed by the University Security Manager as the search is being carried out which will detail:
 - 3.10.1 Persons present in the room.
 - 3.10.2 Locations searched by the 'searching' Security Officer
 - 3.10.3 The time, location and description of any items found thought to be unlawful or prohibited.

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- 3.10.4 Should the licence holder of the room be present during the search then they shall be invited to give an explanation or account of the items located in 3.10.3 and their response recorded.

4 Discovery of unlawful or prohibited items

- 4.1 If during the course of the search items are found which are thought to be illegal then consideration will be given at this stage to terminating the room search and handing the investigation immediately to Kent Police. Should the room occupant be present at this time then further consideration will be given to detaining this person where there is sufficient grounds to believe the person has committed an indictable offence, until such time as the Police arrive and assume control. Considerations will include the nature of the items found as well as quantities of any items found.
- 4.2 If during the course of the search items are found which are thought to be illegal, but after consideration the Police are not immediately contacted, or where items are found which are considered prohibited by the terms of the accommodation license agreement, these items will be placed into a sealable evidence bag by the searching Security Officer, who will complete the continuity data on the front of the bag then close the seal.
- 4.3 Prohibited items, or items which are thought to be illegal but the decision is taken not to refer the matter to the Police will be processed in one of the following ways:
- 4.3.1 Items which are not thought to be illegal but considered prohibited items within University of Kent accommodation will be stored at Campus Watch in a safe environment until such time as the owner of said item(s) is able to take the item(s) off campus, e.g. at the end of term to take to their home address and leave there.
- 4.3.2 Items which are considered illegal and which comprise evidence for the case of a disciplinary investigation by the College Master rather than being referred to Kent Police will be securely stored at Campus Watch in the original evidence bag until such time as they are no longer required for the disciplinary investigation. When no longer required, items thought to be illegal will be handed to Kent Police for the consideration of destruction.