

RIGHT OF SEARCH POLICY

Policy Statement: At the McSence Group, we believe people who need support, and those who love and care for them, should have the most fulfilling and meaningful lives they can possibly have.

McSence regards the safety, security, and rights of clients as paramount. There may be occasions when the company may have to take steps to search employee's where accusations of theft from clients, customers and/or other parties have arisen. This would only arise in the context of an immediate suspension following a complaint pending investigation or disciplinary action.

The right to search would also be exercised where there is a reasonable belief an employee has concealed company property, with a view to the employee removing it from company premises.

The right of search applies to an employee's pockets, clothing, and personal belongings as well as to employees' or company vehicle which they have been used on company business.

All Employees: This policy applies to all persons working for or on our behalf of the McSence Group of Companies which includes the subsidiary companies - *McSence Communication Ltd, McSence Ltd, McSence Services Ltd & McSence Workspace Ltd* in any capacity including but not limited to:

- ✦ All employees at all levels, prospective employees, agency workers, seconded workers, temporary workers, contractors/sub-contractors, clients, agents, external consultants, volunteers, members of the public, group's supply chain, third-party representatives and/or business partners who will be referred to in our Group policies as "all employees".

The Workplace: This policy applies to all persons working for or on our behalf of the McSence Group of Companies in any capacity at the workplace(s) as defined below which includes but not limited to:

- ✦ McSence Premises, Offices, Units, Business Park, Client's Premises, External Meeting Places, Customers' Homes, Gardens, Sheltered Housing, Whilst On-Call, On-Duty, Emergency Cover, Working from Home including On-Line Meetings, Whilst Driving in Company Time, Working Public Areas (café's, trains, coffee shops, buses etc) and will be referred to throughout this policy as "the workplace".

Responsibilities: Unless unavailable, searches of McSence employees should be undertaken by a Line Manager and failing that another Business Unit / Line Manager or member of the Senior Management Team.

The employee has the right to object to the above individual on the grounds of gender, marital status, race, ethnic origin, colour, nationality, national origin, disability, sexual orientation, religion, or age where McSence reserves the right to call the police to conduct a search with the co-operation of the employee.

Right of Search Procedures: The following procedures apply:

- ✦ Searches should be carried out by a Line Manager or member of the Senior Management Team and a witness both of the same sex as the employee to be searched
- ✦ A witness should be present at all times to ensure the search is in line with the procedure as a general rule the employee should be given the opportunity to have their own witness present
- ✦ So far as possible, the search should be made out of view from clients, members of the public and other employees
- ✦ All searches must be recorded fully by management and a record placed in the individual employee's personnel file
- ✦ The Line Manager should monitor all search reports to ensure fairness, consistency and that the same employees have not been targeted
- ✦ The responsible manager should gain the consent of the individual to participate in the search
- ✦ It should be pointed out that if the employee refuses to agree to the search then the company will call the police and ask them to carry out the search
- ✦ The responsible manager should also let it be known that if the individual leaves the premises, having refused to be searched, and before the police arrive, that the company will take this into account in reaching any disciplinary

nary decision. The normal result of leaving the premises in these circumstances would be dismissal on the grounds of having 'reasonable grounds for believing that they have been involved in gross misconduct'.

- ✦ When searching lockers, bags, etc. the manager should always ask the employee to empty things out first before then checking to see if there is anything concealed within.
- ✦ On searching the person, the manager may ask the individual to undo their cuffs, unroll rolled up sleeves, ask employees to remove outer garments such as coats, aprons, tabards, waistcoats, shoes, and socks but should not, under any circumstances, ask the employee to remove any item of clothing that would expose their underwear.
- ✦ The manager may ask the individual to empty their pockets and where possible turn them inside out, so they can clearly view what, if anything, is contained
- ✦ The manager may ask the individual to turn over their waistband

Restrictions: When carrying out a search, under no circumstances should a manager touch the person being searched.

If they do not follow these guidelines and go beyond the bounds of reasonableness, then they could find that they will be cited for assault and even possible indecent assault if they have asked people to remove their clothes.

If this were to happen then the company could be vicariously liable if it is shown that adequate training and guidance for managers has not been provided.

Company Intranet – Staff Zone: All the McSence Groups policies, procedures, handbooks are available on-line to all employees on the McSence Group's Staff Zone Intranet via our website [Login | McSence](#)

Compliance: Failure to comply with the provisions of this Policy may result in Disciplinary proceedings.



McSence Group Signatory:

David Maxwell | Chief Executive

McSence Group - McSence Communication Ltd, McSence Ltd, McSence Services Ltd & McSence Workspace Ltd

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Policy Amendments & Revisions: This policy will be reviewed annually and, if necessary, revised in the light of legislative or organisational changes. Improvements will be made by learning from experience and the use of an established annual review. Should any amendments, revisions, or updates be made to this policy it is the responsibility of the Company Senior Management Team (SMT) to see that all relevant employees receive notice and training if necessary.