



Authority to Conduct Searches of Lockers, Document Lockers and Drawers Policy

This document is part of North Yorkshire Police policy to which all Chief Constable personnel and the functions provided by the Deputy Mayor for Policing as part of the York & North Yorkshire Combined Authority are required to adhere.

Policy Statement

North Yorkshire Police is a professional uniformed organisation and as such provides its Officers and Staff with a variety of storage facilities for storing personal and issued items. There may be circumstances which it is necessary to search these storage areas for an operational purpose which is proportionate and necessary in the circumstances.

This policy statement is open to public viewing from the NYP Website

Introduction

Lockers, document lockers, desk pedestals and other storage furniture are the property of North Yorkshire Police and provided for officers/staff to store uniform and those personal items that they may not wish to carry with them whilst on duty/at work.

Staff should be aware that a locker, document locker or desk pedestal can be searched in the circumstances given below.

Section 18 Police and Criminal Evidence Act Authorisation

When an individual is in custody having been arrested for an appropriate offence, authorisation will be sought to search an individual's locker or other storage furniture by the officer in the case. All appropriate paperwork recording the search will be provided to the individual under investigation.

Misconduct Investigation

If during a misconduct investigation, it is deemed a necessary and appropriate line of enquiry, an individual's locker or other storage furniture can be searched. The investigating officer will record the reasons for the search and ensure an Inspector or above on that police area is aware that the search is taking place.

Following suspension from duty it may also be necessary in line with the Suspension from duty policy that a locker search may be conducted to retrieve NYP assets such as mobile phone, radio and laptop. If practicable this should be conducted with an independent third party present such as a

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Police Federation Representative, Unison Representative or the supervisor of the subject officer/ staff member.

Any items recovered during the search will be recorded and the individual under investigation updated.

Performance matters

Inspectors are able to instigate a search where there is a performance concern. However, they should ensure that the proposed action is reasonable, proportionate and necessary, and the reason recorded at the time.

Implementing a search

Where practicable (i.e. unless the person subject to an investigation is suspended) the individual whose desk, locker etc. is being searched should be present during the search.

The individual will be provided with the rationale for the search and the person will be given the opportunity to voluntarily hand over any items being looked for or any prohibited items before the search commences.

The person whose property is being searched will be given an opportunity to explain of why some items have been found at the time of the search. This information will be recorded in the investigation log/report.

The person(s)/witness conducting/searching should be cognisant that some personal items in lockers, such as medication or religious items should be handled sensitively and discreetly.

Personal items will be excluded from seizure except where they may be deemed to relate to criminal activities.

Due consideration should be given to recording the search using Body Worn Video. Also in matters of misconduct (not criminal), PSD should, whenever reasonable and practical invite either a Police Federation/UNISON representative or another independent person to witness the search.

Definition of Special Terms

Linkages

Other Documents:

NYP Suspension of Police Officers from duty policy - Suspension of Police Officers from Duty

College of Policing Code of Ethics - Code of Ethics | College of Policing

Standards of Professional Behaviour - Standards of Professional Behaviour

Police and Criminal Evidence Act (specifically S18 & S32) - Police and Criminal Evidence Act 1984

Police Conduct Regulations 2020 - The Police (Conduct) Regulations 2020

Police Complaints and Conduct Regulations 2020 - The Police (Complaints and Misconduct) Regulations 2020

Police Staff Discipline Procedure - Staff-Discipline

NYP Performance Management Framework - Performance-Management-Framework

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Note: In compliance with the Freedom of Information Act all force policies and procedures that are not marked as OFFICIAL-SENSITIVE will be published on the NYP Website. It is necessary to apply Government Security Classification (GSC) see [Protective Marking Procedure](#) for advice on how to mark and handle documents.

Document Administration	
Head of Function (Portfolio Lead):	Supt 659 Jo BROOKSBANK
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Author & role:	PC 522 Chris DALBY Hearings Manager Professional Standards Department
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Equality and Human Rights Assessment	
<u>Equality Section</u>	
1. What are the aims, objectives and intended outcomes of the initiative?	
Put in place a system where employees are aware that in certain circumstances any type of locker or other storage furniture owned by North Yorkshire Police, provided to staff for storage of issued and personal items may be searched.	
2. What research has been conducted or considered and who have you consulted with and why?	

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Procedures in use by other police forces and law enforcement agencies have been examined to identify if the content of this procedure or the activity involved will produce direct or indirect benefits or negative consequences for those with the characteristics at 3). There is no history or evidence of this type of Procedure producing discriminatory or negative consequences.

There is no evidence arising from the practical implementation of this procedure in NYP to indicate that the application of this procedure has led to discrimination or unequal treatment or outcomes for any members of the groups/categories of individuals described in the table at d) below .

3. Could there be any implications for any of the protected characteristic groups as listed below? Please provide details for all decisions – if a negative impact has been identified please state how this impact can be justified for the initiative.

	Positive	Negative	Neutral	Details
Age			x	
Disability			x	
Gender Reassignment			x	
Marriage and Civil Partnership			x	
Pregnancy and Maternity			x	
Race			x	
Religion or Belief			x	
Sex (Gender)			x	
Sexual Orientation			x	

Human Rights Section

1. Will the initiative engage anyone’s Convention Rights?

No

2. Will the initiative result in the restriction of a right?

No

3. If any of the rights are Qualified Rights, you will need to undertake a balancing exercise:

a) Is the restriction on the right lawful? Is there a law which allows you to make the initiative?

b) What is the legitimate aim you are trying to achieve through this initiative?

c) Is the restriction necessary and proportionate? Are you restricting one person’s rights to protect the rights of another individual? Is there another way to achieve the aim identified in (b)?

N/A

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