SEARCHING STUDENTS AND CONFISCATION POLICY

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1. PRINCIPLES OF SEARCHING STUDENTS AND CONFISCATION

1.1 Only the Head of School or a member of staff authorised by them can carry out a search. Those authorised people are: the Deputy Heads of School, Cluster Leads or a Designated Safeguarding Lead (DSL) in the Federation. These staff have a statutory power to search a student or their possessions where they have reasonable grounds to suspect that the student may have a prohibited item listed in paragraph 1.2, or any other item that the School identifies as an item which may be searched for in paragraph 1.3.

1.2 The list of prohibited items is:

- knives and weapons;
- alcohol;
- illegal drugs;
- stolen items;
- any article that the 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 to property of any person (including the student);
- tobacco and cigarette papers;
- fireworks;
- pornographic images.

1.3 In addition, the School identifies that the following items may also be searched for:

- e-cigarettes;
- vapes;
- any other item that a student or students may have in their possession that is in contravention of the School's Behaviour Management Policy, Exclusion Policy or stipulated in a safety plan, Pastoral Support Plan (PSP) or parenting contract.

2. LEGISLATION AND GUIDANCE

This policy reflects the responsibilities laid out in:

- Keeping Children Safe In Education 2026
- Searching, screening and confiscation: guidance for schools
- Working together to safeguard children 2026: statutory guidance
- The Education Act 1996

3. GUIDANCE FOR THOSE AUTHORISED TO CONDUCT A SEARCH

AUTHORITY TO SEARCH

3.1 The Head of School will oversee the School's practice of searching to ensure that a culture of safe, proportionate and appropriate searching is maintained, which safeguards the welfare of all students and staff with support from Deputy Heads of School, Cluster Leads or a Designated Safeguarding Lead.

3.2 All staff authorised to carry out a search will read and ensure they understand this policy before they conduct a search so that it is conducted lawfully and safely.

BEFORE SEARCHING

3.3 A search can be considered if the member of staff has reasonable grounds for suspecting that the student is in possession of any item identified in this policy or if the student has agreed.

3.4 The member of staff should assess how urgent the need for a search is and should consider the risk to other students and staff.

3.5 Before any search takes place, the member of staff conducting the search should explain to the student why they are being searched, how and where the search is going to take place and give them the opportunity to ask any questions and note any concerns the student might have before proceeding.

3.6 We must consider the age and needs of pupils being searched or screened. This includes the individual needs or learning difficulties of pupils with Special Education Needs (SEN) and making reasonable adjustments that may be required where a pupil has a disability.

3.7 Staff may wish to consider using CCTV footage to decide whether to conduct a search for an item.

3.8 The member of staff should always seek the co-operation of the student before conducting a search. If the student is not willing to co-operate with the search, the member of staff should consider why this is. Reasons might include that they:

- are in possession of a prohibited item;
- do not understand the instructions;
- are unaware of what a search may involve; or
- have had a previous distressing experience of being searched.

3.9 If a student continues to refuse to co-operate, the member of staff may sanction the student in line with the School's Behaviour Management Policy, ensuring that they are responding to misbehaviour consistently and fairly.

3.10 If the member of staff still considers a search to be necessary, but is not required urgently, they should seek the advice of the Head of School. During this time the student should be supervised and kept away from other students.

REASONABLE FORCE

3.11 If the student still refuses to co-operate, the member of staff should assess whether it is appropriate to use reasonable force to conduct the search. A member of staff can use such force as is reasonable to search for any prohibited items identified in paragraph 1.2 but not to search for items which are identified only in paragraph 1.3.

3.12 The decision to use reasonable force should be made on a case-by-case basis. The member of staff should consider whether conducting the search will prevent the student harming themselves or others, damaging property or from causing disorder.

3.13 It should be noted that the use of reasonable force will differ depending on whether the member of staff is searching possessions or the student themselves. (Section 550ZB(5) of the Education Act 1996) namely whether a student is at risk of harm to themselves or others.

DURING A SEARCH

Where should a search take place?

3.14 An appropriate location for the search should be found. Where possible, this should be away from other students. The search must only take place on the School premises or where the member of staff has lawful control or charge of the student, for example, on a School trip.

Who will conduct a search?

3.15 The law states the member of staff conducting the search must be of the same sex as the student being searched. There must be another member of staff present as a witness to the search.

3.16 There is a limited exception to this rule. This is that a member of staff can search a student of the opposite sex and/or without a witness present only:

- if the member of staff carrying out the search reasonably believes there is risk that serious harm will be caused to a person if the search is not carried out as a matter of urgency; and
- in the time available, it is not reasonably practicable for the search to be carried out by a member of staff who is the same sex as the student, or, it is not reasonably practicable for the search to be carried out in the presence of another member of staff.

3.17 When a member of staff conducts a search without a witness they should immediately report this to another member of staff, and ensure a record of the search is kept which details the reasons why the search was necessary in these circumstances.

THE EXTENT OF THE SEARCH

3.18 A member of staff may search a student's outer clothing, pockets, possessions, or locker.

3.19 The person conducting the search must not require the student to remove any clothing other than outer clothing. 'Outer clothing' means any item of clothing that is not worn wholly next to the skin or immediately over a garment that is being worn as underwear, as well as hats, shoes, boots or scarves.

3.20 'Possessions' means any goods over which the student has or appears to have control - this includes lockers and bags.

3.21 A member of staff is able to search lockers and other personal spaces at the School for any item provided the student agrees. If the student withdraws their agreement to a search, a search may be conducted for the prohibited items listed in paragraphs 1.2 and1.3 and any items identified in the School's Behaviour Management Policy for which a search can be made.

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

3.23 The member of staff may use a metal detector to assist with the search.

3.24 The member of staff's power to search outlined above does not enable them to conduct a strip search.

RECORDING THAT A SEARCH HAS TAKEN PLACE

3.25 The Head of School must be informed, using CPOMS, of any search conducted with or without the consent of the student. The Designated Safeguarding Lead (or a deputy) will also be notified as soon as practicable, using CPOMS, if they believe that a search has revealed a safeguarding risk. In the case of a search conducted without consent of the student, the parent or guardian should be notified, as soon as reasonably practicable, that a search took place and its outcome.

3.26 The following information will be evidenced on CPOMS following a search: who conducted the search, the staff member who accompanied the search, the location of the search, a brief outline of the reason and any concerns raised by the student. If any item is found that contravenes the policy, a photograph of the item will be taken and the actions taken as a result of the search, if any will be recorded on CPOMS.

3.27 If a Designated Safeguarding Lead (or a deputy) finds evidence that any child is at risk of harm, they should make a referral to children's social care services immediately (as set out in Keeping Children Safe in Educaton). The Designated Safeguarding Lead (or a deputy) should then consider the circumstances of the student who has been searched to assess the incident against potential wider safeguarding concerns.

INFORMING PARENTS

3.28 Parents should always be informed of any search for a prohibited item listed in paragraph 1.2 that has taken place, and the outcome of the search, as soon as practicable. It may also be necessary to inform parents of a search for an item banned by the School policy, as detailed in paragraph 1.3.

4. STRIP SEARCHING

4.1 School staff will not, under any circumstances, carry out a strip search of a student. However, if there are reasonable grounds to believe that the student is concealing a prohibited item under their clothing, and that a search will prevent the student harming themselves or others, damaging property or from causing disorder, then the Head of School, or a Deputy Head of School will contact the police. Strip searches on the 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.

4.2 If the police are called to carry out a strip search the Head of School or a Deputy Head of School must be certain that it is absolutely necessary and must advocate for the student.

4.3 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. The School will record a strip search that has been conducted on the School premises and monitor for any trends that emerge.

4.4 At all times before, during and after a strip search the Head of School, or Deputy Head of School, should make sure that the wellbeing of the student be considered and appropriate support given. Any symptoms of a safeguarding concern for the student will be supported and followed up as set out in the Federation's Safeguarding Policy.

5. CONFISCATION OF PROHIBITED OR ILLEGAL ITEMS

5.1 Controlled drugs must be reported to the police and their advice regarding disposal as soon as possible unless there is a good reason not to do so. In these cases, the member of staff must safely dispose of the drugs. When staff are unsure as to the legal status of a substance and have reason to believe that it may be a controlled drug, they should treat it as such. If the member of staff is in doubt about the safe disposal of controlled drugs, they should contact the police and follow their guidance regarding disposal.

5.2 Other substances which are not believed to be controlled should also be delivered to the police, or disposed of as above, if the member of staff believes they could be harmful.

5.3 Where a person conducting a search finds alcohol, tobacco, cigarette papers or fireworks, vapes or e-cigarettes they may retain or dispose of them as they think appropriate but should not return them to the student.

5.4 If a member of staff finds a pornographic image, they may dispose of the image unless they have reasonable grounds to suspect that its possession constitutes a specified offence (i.e. it is extreme or an indecent image of a child) in which case it must be delivered to the police as soon as reasonably practicable.

5.5 Members of staff should never intentionally view any indecent image of a child (also sometimes known as nude or semi-nude images). Staff must never copy, print, share, store or save such images.

6. ELECTRICAL DEVICES AND DATA

6.1 All staff have the right to confiscate any electrical device. If they believe there is a good reason to do so, they may examine any data or files on the device.

6.2 In determining a 'good reason' to examine the data or files, the staff member must reasonably suspect that the data or file on the device in question has been, or could be, used to cause harm, to disrupt teaching, or break our rules.

6.3 If inappropriate material is found on the device it is up to the Head of School to decide whether they should delete that material, retain it as evidence (of a criminal offence or a breach of this policy), or whether the material is of such seriousness that it requires the involvement of the police.

6.4 Staff can also confiscate any device that is in contravention of the law, the School's Behaviour Management Policy, Exclusion Policy or any item that is in contravention of a pastoral support or safety plan.

6.5 If the device is prohibited by the School but not illegal, parents should be contacted in order that they can arrange to collect the item during the working day. The item should not normally be returned to the student unless it is their personal mobile phone and a first offence.