SEARCHING, SCREENING AND CONFISCATION POLICY

This policy is created in line with the Department of Education document 'Searching, Screening and Confiscation Advice for Schools' (July 2022).

The Principal has nominated and authorised the following staff to conduct searches: members of the Senior Leadership Team, Heads of Year and Student Services. These specific staff members have been trained by the Designated Safeguarding Lead on how to conduct student searches, ensuring they are justified and proportionate. Guidance was provided on the following: location, room, manner, leadership, sex, method, SEND needs of the child and voice of the child.

Academy staff can search a student for any item if the student agrees.

If a student provides consent:

- there is no requirement to have written consent from the student, as long as it is clear in the behaviour policy and it has been communicated to parents/carers and students what items are banned.
- search must be conducted on school premises (or on a school trip).
- search should be conducted by a member of staff of the same sex as the child being searched, and a witness (staff member), and if possible they should be the same sex at the pupil. (If this is not possible then a member of the other sex can be used but this would normally not be the case).
- the student can be asked to remove items from pockets (and turning them out), outer garments, bags and lockers.
- screening may require a hand-held metal detector (arch or wand).

If a student does not provide consent:

- or refuses consent, then appropriate sanctions can be given as per the behaviour policy.
- and there is reasonable suspicion that the student has any of the following ***prohibited items (italics)***, staff can search students without consent:
- *knives or weapons*
- *alcohol*
- *illegal drugs or associated drug paraphernalia*
- *stolen items*
- *tobacco*
- *cigarette papers*
- *fireworks*
- *pornographic images*

- *any item/s that the staff member reasonable suspects has been, or is likely to be, used: to commit an offence, or cause personal injury/damage to property of, any person (including the pupil)*

The same searching procedures as previously stated (2 members of staff - at least 1 staff member to be of the same sex unless there is a **serious risk if the search is not conducted immediately).**

Staff can only search without consent for the prohibited items. Staff can use reasonable force when conducting a search for these items but not for the items banned under the school rules. Screening may require a hand-held metal detector (arch or wand). The Academy may refuse to have the pupil on the premises if a student refuses to be screened.

Any student who may allegedly be carrying a banned item, would classify as grounds for a student search, to safeguard staff and student welfare. Please see the list of banned and prohibited items below.

Banned	Prohibited (law)
Glass bottles Aerosols Chewing gum Energy drinks Electronic items SMART watches/ Fitbits Fun snaps/ fire snaps or equivalent Vapes / E-cigarettes Lighters Matches Tools / sharp objects (e.g. screwdriver) Hoodies Baseball caps Jewellery (other than one small stud) Stink bombs Super glue Pepper sprays/ gas canisters Catapults Dangerous chemicals Ropes/ cable ties	Drugs Weapons/ Knife Tobacco Alcohol Stolen items Cigarette papers Fireworks Pornographic images

What happens next?

- **Controlled drugs** must be delivered to the police 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.
- **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.
- Where a person conducting a search finds **alcohol, tobacco, cigarette papers or fireworks**, they may retain or dispose of them as they think appropriate but should not return them to the pupil.
- 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

- any banned or prohibited item can be confiscated, retained and/or disposed of as a disciplinary penalty, similarly for any item the school consider as harmful or detrimental to school discipline.
- weapons, illegal drugs and stolen items (which are valuable such as laptops or ipods), which are evidence of an offence, extreme or child pornography images should be passed to the police.
- alcohol, tobacco, cigarette papers, fireworks should <u>not</u> be returned to the student. These can be disposed of or detained or left in reception for the parent/carer to collect.
- if inappropriate material (such as pornographic image/s) is found on an electrical device, then professional judgement should be used to decide if the material should be deleted, retained as evidence or whether it requires police involvement. If police involvement is needed, then images should not be deleted.
- in a lawful 'without consent' search, electronic devices may be examined for data or files if we reasonably suspect that it may have been or is likely to be used to commit an offence or cause personal injury or damage to property. Data or files may also be deleted if good reasons to do so, unless they need to pass on the device to the police.
- the electrical device may be returned to the student if this is appropriate after the material has been deleted (unless confiscated).
- a record of all searches will be kept.
- there is no legal requirement to inform parents before a search or to seek consent.
- where alcohol, drugs or potentially harmful substances are found, it is good practice to inform parents.
- staff members will follow safeguarding procedures accordingly.

The designated safeguarding lead (or deputy) will be informed of any searching incidents where the member of staff had reasonable grounds to suspect a pupil was in possession of a prohibited item or when a search has revealed a safeguarding risk. The appropriate education, guidance and safeguarding referrals will be actioned, as being in possession of a banned or prohibited item could mean the student is involved, or at risk of, being involved in exploitation, criminal and/or anti-social behaviour.

Please note:

- In exceptional circumstances, a staff member of the opposite sex to the student can search a student and/or without a witness present if there is a risk that serious harm will be caused to a person if they do not conduct the search immediately and where it is not practical to request another staff member).
- The law protects members of staff from liability in any proceedings brought against them for any loss of, or damage to, any item they have confiscated.
- For further guidance please visit the Department of Education document 'Searching, Screening and Confiscation Advice for Schools' (July 2022).