

Bishop Young C of E Academy **Policies & Procedures**

Searching, Screening and Confiscation Policy

Approved on	19 th November 2025
Approved by	BYA GAB
Last reviewed on	9 th November 2022
Next review due	November 2028

Searching, Screening and Confiscation Policy

Introduction

Ensuring that all members of the school community feel safe and secure is fundamental to fostering a calm, supportive, and effective learning environment. The judicious and lawful exercise of searching, screening, and confiscation powers is a key measure in safeguarding the welfare of pupils and staff, thereby promoting and maintaining an environment in which the safety, dignity, and wellbeing of all are upheld.

This policy sets out the school's framework for responding to a student having or suspected of having a prohibited item.

This policy is linked with the Department for Education document, "Searching, Screening & Confiscation – Advice for schools" (DfE, July 2022).

This policy should be read in conjunction with the following school policies:

- Behaviour for Learning Policy
- Safeguarding Policy and Procedures
- Digital Use Policy

Prohibited items

The Head of School, and staff authorised by them, have a statutory power to search pupils or their possessions, without consent, where they have reasonable grounds for suspecting that the pupil may have a prohibited item.

Prohibited items are:

- knives or weapons
- alcohol
- illegal drugs and drug paraphernalia
- stolen items
- tobacco, cigarette papers and vapes
- controlled drugs, such as legal highs
- fireworks
- pornographic images
- 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 the property of, any person (including the pupil).

The Principal

and authorised staff can also search for any item banned by the school rules which has been identified in the rules as an item which may be searched for. (DfE 2014)

Searching

School staff can search a pupil for any item if the pupil agrees.

The Designated Safeguarding Lead (or Deputy) will be informed, and all searches will be logged on Class Charts and CPOMS. Before searching, the need for a search should be considered as should the risk to other pupils and staff.

The person conducting the search will be of the same sex as the pupil being searched, and there will be another member of staff present.

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

**If the member of staff carrying out the search reasonably believes there is a 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 practical for the search to be carried out by a member of staff who is the same sex as the pupil or it is not reasonably practicable for the search to be carried out in the presence of another member of staff.*

A member of staff may search a pupil's outer clothing, pockets, possessions, desks and lockers.

- The person conducting the search must not require the pupil to remove any clothing other than outer clothing.
- 'Outer clothing' means clothing that is not worn next to the skin or immediately over a garment that is being worn as underwear, but 'outer clothing' includes hats; shoes; boots; gloves and scarves.
- 'Possessions' means any goods over which the pupil has or appears to have control – this includes desks, lockers and bags.
- A pupil's possessions can only be searched in the presence of the pupil 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. (DfE, 2022)

Searching with consent

Under schools' common law powers to search, any member of staff can search a student with their consent for any item. If a member of staff suspects a pupil has a prohibited or banned item in his/her possession, they should:

1. Ask the student to turn out their pockets, their bag(s) and/or their locker.
2. If the member of staff chooses to search the student's possessions themselves (i.e., beyond asking the student to show items in their possession) then they must do this in the presence of another member of staff.
3. If a student refuses to consent to the search the member of staff can apply an appropriate sanction as set out in the school's Behaviour for Learning Policy.
4. If any banned items are found then the member of staff should refer to the 'Confiscation' section, of this policy and apply an appropriate sanction as set out in the school's Behaviour for Learning Policy.
5. If any prohibited items are found, then the member of staff should inform the Principal/ DSL immediately so that they may respond as set out in the 'Confiscation' section of this policy and the school's Behaviour for Learning Policy.
6. Staff involved should write up an account of any search made and forward to the Principal/ DSL for use in response. The search will be logged on Class Charts and CPOMS.

Searching without consent

This would only be considered in extreme circumstances. The member of staff conducting the search should be the same gender as the pupil being searched and there must be another member of staff as a witness and, if possible, they should also be the same gender as the student being searched.

Items that can be searched for:

If a member of staff had reasonable grounds to suspect that a student has a prohibited item, the Principal authorises the members of staff to carry out the following:

1. Inform a member of the Senior Leadership Team of the intent to carry out a search without consent.
2. If the suspecting member of staff is not the same gender as the student being searched, arrange for an authorised member of staff that is the same gender as the student to lead it.
3. There must be another member of staff as a witness and, if possible, they should be the same gender as the student being searched.

4. If required and where practicable, move the student and their possessions to a location that is suitable for carrying out the search.
5. In the presence of the student and witness carry out the search of outer clothing, possessions and, if required, locker / bag.
6. If any banned items are found then the members of staff should refer to the 'Confiscation' section of this policy, and apply an appropriate sanction as set out in the school's behaviour policy
7. If any prohibited items are found then the members of staff should inform the Principal/ DSL immediately so that they may respond as set out in the 'Confiscation' section of this policy, and the school's behaviour policy.
8. Staff involved should write up an account of any search made and forward to the Principal/ DSL. The search will be logged on Class Charts and CPOMS.

Strip searching

A strip search is a search involving the removal of more than outer clothing. Strip searches on 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. While the decision to undertake the strip search itself and its conduct are police matters, the school staff retain a duty of care to the pupil(s) involved and should always advocate for pupil wellbeing.

Unless there is an immediate risk of harm and where reasonably possible, staff will inform a parent of the pupil suspected of concealing an item in advance of the search, even if the parent is not acting as the appropriate adult. Parents will always be informed by a member of staff once a strip search has taken place. The school keeps records of all searches.

Procedures for the Police during a strip search

Except in urgent cases, there must be at least two people present, other than the pupil. One of which must be an appropriate adult. If the pupil's parent or carer would like to be the appropriate adult, then the school will facilitate this where possible.

The police officer carrying out the search must be of the same sex as the pupil being searched.

Unless the pupil concerned has requested an appropriate adult who is of a different sex, no-one of a different sex to the pupil being searched is permitted to be present.

After a search

Pupils will always be given appropriate support, irrespective of whether the suspected item was found. Safeguarding will always be at the centre of support following a strip search.

Screening

Screening can help to provide reassurance to pupils, staff and parents that the school is taking measures to create a calm, safe and supportive environment.

Schools can require pupils to undergo screening by a walk-through or hand-held metal detector (arch or wand) even if they do not suspect them of having a weapon and without the consent of the pupils.

- Schools' statutory power to make rules on pupil behaviour and their duty as an employer to manage the safety of staff, pupils and visitors enables them to impose a requirement that pupils undergo screening.
- Any member of school staff can screen pupils. (DfE 2022)

If a pupil refuses to be screened, a senior member of staff should be consulted, which may result in the pupil being refused admission into the school building. Health and safety legislation requires a school to be managed in a way which does not expose pupils or staff to risks to their health and safety. If a pupil refuses to be screened and is denied entry, then the absence should be recorded as unauthorised.

If a pupil refuses to be screened, the school should consider why the pupil is not co-operating and assess whether it is necessary to carry out a search.

Confiscation

School staff can seize any prohibited item found as a result of a search. They can also seize any item, however found, which they consider poses a risk to staff or pupils, is prohibited, or identified in the school rules for which a search can be made. (DfE 2022)

The school's general power to discipline enables a member of staff to confiscate, retain or dispose of a pupil's property as a disciplinary penalty, where reasonable to do so. 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, provided they acted lawfully.

Procedure – Prohibited items

If any prohibited items are found as a result of a search, members of staff will be required to confiscate them immediately and take the item(s) to the Principal/ DSL. They will be dealt with lawfully through the following procedure:

1. Where a person conducting a search finds alcohol, it is retained or disposed of.
2. Where they find controlled drugs, these must be delivered to the police. They are to be placed in a sealed drugs bag with the details completed on them and then stored in the school safe until a time that they can be taken to the local police station to be destroyed.
3. Where they find other substances, which are not believed to be controlled drugs, these can be confiscated where a teacher believes them to be harmful or detrimental to good order and discipline. This would include, for example, so called 'legal highs.' Where staff suspect a substance may be a 'controlled drug', they should treat them as controlled drugs as outlined above.
4. Where they find stolen items, these must be delivered to the police, unless there is a good reason not to do so – in which case the stolen item should be returned to the owner. These stolen items may be retained or disposed of if returning them to their owner is not practicable.
5. Any weapons or items which are evidence of an offence must be passed to the police as soon as possible.
6. 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, in which case it must be delivered to the police. Members of staff should never intentionally view, copy, print, share or save any indecent image of a child. When an incident might involve an indecent image of a child, the member of staff should confiscate the device, avoid looking at it, and refer it to the DSL.
7. All other prohibited items are to be disposed of appropriately so as not to allow others access to or use of the items.

It is up to the Senior Leadership Team to decide whether there is a 'good reason' not to deliver stolen items to the police through the PCSO. In determining what 'good reason' is, the member of staff should consider all relevant circumstances and use their professional judgment to determine whether they can safely dispose of a seized article. Where staff are unsure as to the legal status of a substance and have reason to believe it may be a controlled drug, they should treat it as such.

Regarding stolen items, it would not be reasonable or desirable to involve the police in dealing with low value items such as pencil cases. However, school staff may judge it appropriate to contact the police if the items are valuable (e.g., phones/ laptops) or illegal (e.g., alcohol / fireworks). Schools can dispose of alcohol

and cigarettes as they think appropriate, but this does not include returning it to the pupil.

Electronic Devices

Where the person conducting the search finds an electronic device, they may examine any data or files on the device if there is a good reason to do so. Following an examination, if the person has decided to return the device to the owner, or to retain or dispose of it, they may erase any data or files if they think there is a good reason to do so. (DfE 2022)

Informing parents and dealing with complaints

Schools are not required to inform parents before a search takes place or to seek their consent to search their child, but we will inform parents as soon as is practicable. The school will inform the individual pupil's parents or carers where prohibited items are found, though there is no legal requirement to do so. Complaints about screening or searching should be dealt with through the normal school complaints procedure.

Members of staff authorised to carry out a search without consent

The following members of staff have been authorised by the Principal to carry out searches where a member of staff has reasonable grounds to suspect that a student has a prohibited item:

- The Principal
- Vice-Principal
- Members of the Senior Leadership Team
- The Pastoral / Safeguarding Team
- The Designated Leader of any school trip and an additional member of staff authorised by them. Designated staff can decline to undertake a search.

Training for members of staff

There is no legal requirement for the Principal or authorised member of staff to be trained before undertaking a 'without consent' search. When designating a member of staff to undertake searches under these powers, the Principal should consider whether the member of staff requires any additional training to enable them to carry out their responsibilities.