



Townlands C of E Primary Academy
Searching, Screening and Confiscation Policy

Approved by: R Johnson (Chair of Governors)

Date: March 2026

Next review due by: March 2029

Introduction

Townlands C of E Primary Academy fully recognises the responsibility it has under section 175/157 of the Education Act to have arrangements in place to safeguard and promote the welfare of children. The policy explains the screening, searching, and confiscating powers our school has, ensuring the Headteacher and members of staff have the confidence to use these powers to maintain a calm, safe and supportive environment to learn and work.

This policy applies to all staff, governors, volunteers, and contractors, paid and unpaid, working in the school. It also applies to all pupils.

The school acknowledges their legal duty to make reasonable adjustments for disabled children and children with special educational needs (SEND). Equality Act 2010 Searching, screening and confiscation is conducted in line with the DfE's latest guidance on Searching, screening and confiscation.

The policy is based on advice and guidance on powers available to principals and their staff conferred by several pieces of legislation, including the Education and Inspections Act 2006, the Violent Crime Reduction Act 2006, the Criminal Justice Act 1988 and the DfE guidance on Searching, Screening and Confiscation (published July 2022). The policy will also take note of obligations under the European Convention on Human Rights (ECHR) Article 8, which gives pupils the right to respect for their private life and a reasonable level of personal privacy.

Scope

There are occasions when it might be necessary to determine whether a pupil is in possession of a 'prohibited', or other specified item that the school does not allow on site (see list below). In such circumstances this policy can be applied.

Roles and Responsibilities

The governing board will be responsible for:

- Ensuring this policy is implemented within the school and its effectiveness is monitored.

The Headteacher will be responsible for:

- Authorising members of staff to search pupils for prohibited items and items banned by the school, according to its policies.
- Ensuring the procedures in this policy are implemented consistently across the school.
- Assessing on a case-by-case basis whether a search should be undertaken.
- Overseeing the school's practice of searching to ensure that a culture of safe, proportionate, and appropriate searching is established and maintained.
- Ensuring the DSL (or their deputy) is called on for support during, or after, searching, as appropriate.
- Ensuring a sufficient number of staff are appropriately trained on how to lawfully and safely search a pupil, including managing pupils who are not co-operating with the search.

- Ensuring all staff understand the rights of any pupils being searched.
- Ensuring the DSL (or their deputy) is informed of any instances where a staff member had reasonable grounds to suspect that a pupil was in possession of a prohibited item.

The DSL (or their deputy) will be responsible for:

- Managing any safeguarding concerns that are raised by staff members who have conducted a search and by pupils subject to a search.
- Making referrals, in line with the school's safeguarding procedures, where there is evidence from a search that a pupil is at risk of harm.
- Ensuring procedures are in place, and are being followed, for when a safeguarding incident arises.
- Ensuring procedures are in place for staff to alert them of instances when they had reasonable grounds to suspect a pupil was in possession of prohibited items and when a prohibited item has been found.
- Considering the circumstances of any pupils who are at risk of harm as a result of the search to assess whether there is a wider safeguarding concern.
- Advising staff on what to do if they believe a search is necessary but is not required urgently, e.g. keeping the pupil supervised and away from others.
- Advising staff on any aftercare required by a pupil as a result of a search.

All staff members will be responsible for:

- Acting in line with this policy when screening or searching a pupil or confiscating items.
- Ensuring that the culture of safe, proportionate and appropriate searching is maintained.
- Adhering to the relevant guidance and policies and familiarising themselves with which items are prohibited and/or banned by the school.
- Ensuring they implement sanctions fairly, proportionately, and in line with the Behaviour Policy.
- Raising safeguarding concerns with the DSL (or their deputy) as soon as reasonably practicable.
- Maintaining their duty of care for any pupils subject to a search, including a strip search, and protecting their welfare at all times.

Screening

Under the school's statutory power to make rules on pupil behaviour and the duty to manage the safety of staff, pupils and visitors, the school can impose a requirement that pupils undergo screening. All members of staff will have the authority to screen pupils. Before the installation of any technology for the purpose of screening pupils, the Headteacher will consult with the local police and Local Authority about whether the devices are appropriate. Townlands does not currently use screening devices.

Prohibited Items

Prohibited items include:

- Knives or weapons
- Alcohol
- Illegal drugs

- Stolen items
- Tobacco and cigarette papers
- Fireworks
- Pornographic images
- Any item that a 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 the property of, any person (including themselves)
- Hazardous Materials: Bleaching powders, oxidizers, radioactive materials, poisons

Other items

Banned items include:

- Legal highs
- Vapes
- Aerosol cans
- Flammable Items
- Non-prescribed hypodermic needles
- Mobile phones

The school will ensure that banned items are made clear to parents.

Searching With Consent

Any member of staff will have the authority to search pupils for any item if the pupil consents.

Formal written consent will not be required for this sort of search and informed verbal consent will suffice. All staff members will ensure that any pupil subject to a search with consent understands the reason for the search and how it will be conducted.

Searches with consent will be undertaken on the basis that a pupil is, or is suspected to be, in possession of a prohibited or banned item as identified in this policy and the Behaviour Policy. Searches with consent will be implemented consistently, proportionately, fairly, and in line with this policy at all times.

If a member of staff suspects a pupil is in possession of a banned item, the pupil will be instructed to turn out their pockets, drawer and/or bag etc.

When exercising their authority to search with consent, staff members will assess and consider the age and needs of the pupil being searched. Where required, reasonable adjustments will be put in place where a pupil has additional needs or a disability.

Searching Without Consent

The Headteacher and authorised staff have the statutory power to search pupils or their possessions, without consent, where they have reasonable grounds for suspecting that the pupil may be in possession of a prohibited item. The staff member will decide what constitutes reasonable grounds for suspicion on a case-by-case basis.

Wherever possible, the staff member conducting the search will be the same sex as the pupil being searched. There will be a witness (also a staff member). Staff members can only undertake a search without consent if they have reasonable grounds for suspecting that a pupil may have in his possession a prohibited item. The staff member must decide in each particular case what constitutes reasonable grounds for suspicion. For example, they may have heard other pupils talking about the item or they might notice a pupil behaving in a way that causes them to be suspicious. In the exceptional circumstances when it is necessary to conduct a search of a pupil of the opposite sex, the member of staff conducting the search should bear in mind that a pupil's expectation of privacy increases as they get older.

Before searching Authorised staff at Townlands will:

- Explain to the pupil: why they are being searched, how and where the search is going to take place.
- Seek cooperation of the pupil in the first instance. If the pupil refuses, the member of staff may consider a sanction under the school's behaviour policy.
- Consider whether a search must be conducted urgently, and whether it is appropriate to use reasonable force to search for 'prohibited' items only.
- Find an appropriate place for the search, away from other pupils wherever possible.
- Ensure that the person undertaking the search is of the same sex (wherever possible) as the pupil being searched and there is a witness present. NB an exception to this rule is where there is a risk of serious harm if the search is not carried out urgently. In this situation, the search may be undertaken by a member of a different sex, but a witness would still be needed.

During searching Authorised staff at Townlands will:

- Ensure that only outer clothing, possessions, desks, or drawers are searched, and only items of 'outer clothing' are removed, e.g., coat, hats, shoes, boots, scarves.
- Be sensitive to asking pupils to remove items of clothing which hold religious significance.
- Only search a pupil's possessions in the presence of the pupil and another member of staff, unless there is a risk of serious harm if the search is delayed. NB 'strip searching' can only be carried out by police officers and would only be considered as a last resort. There must be at least 2 people present in addition to the pupil, one of which must be an 'appropriate adult,' e.g., a parent, relative, social worker or teacher.

After searching Authorised staff at Townlands will:

- Ensure that appropriate support is given to the pupil who has been searched.
- Notify the DSL (or deputy), who will consider whether there are wider safeguarding risks and consider what support, interventions or referrals are needed.
- Ensure that a sanction is given, in line with the school's Behaviour Policy, should the pupil be found in possession of a prohibited item.
- Inform parents of the search, the outcome and any confiscation as soon as possible.
- Record the search in CPOMS, regardless of whether an item is found or not. Records will include:
 - the time, date and location of the search
 - who conducted the search

- what was being searched for
- the reason for searching
- what items, if any, were found
- what follow up actions were taken as a consequence of the search

Confiscation

The authorised staff member conducting the search can confiscate anything that they have reasonable grounds for suspecting:

- poses a risk to staff or pupils
- is a prohibited item, or other item not allowed in school
- is evidence in relation to an offence

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 have acted lawfully. Any confiscated items will be dealt with in accordance with the Dfe Guidance: 'Searching, Screening and Confiscation' e.g.,

- Drugs, other controlled substances, stolen items and weapons should be delivered to the police;
- Alcohol, tobacco, cigarettes or fireworks may be retained or disposed of as appropriate, but should not be returned 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 they think there is a good reason to do so. However, if they suspect they may find a nude or semi-nude image they must never intentionally view the image or copy, print, share, store or save. If an indecent image of a child may be involved, the device must be confiscated, and the DSL (or deputy) will take appropriate action.

Devices must be delivered to the police if any image, data or file indicates an offence. No data should be deleted.

In exceptional circumstances, members of staff may dispose of the image or data if there is a 'good reason' to do so, in accordance with guidance from the Secretary of State: 'If the data or files are not suspected to be evidence in relation to an offence, a member of staff may delete the data or files if the continued existence of the data or file is likely to cause harm to any person and the pupil and/or the parent refuses to delete the data or files themselves.'

Use of force

Headteachers and authorised members of staff can use reasonable force to conduct a search for objects prohibited by law, including illegal drugs, stolen goods, alcohol and knives. However, force cannot be used to search for items only banned under the school rules.

See Use of reasonable force in schools - GOV.UK (www.gov.uk).

Communicating with Parents/Carers

Townlands aims to work with parents and carers. There is no legal requirement for the School to inform Parents/Carers before a search for banned or prohibited items takes place or to seek their consent to search their child and it will not generally be practical to do so.

Parents should always be informed of any search for a prohibited item listed above that has taken place and the outcome of the search as soon as practicable. A member of staff should inform parents of what, if anything, has been confiscated and the resulting action the school has taken, including any sanctions applied.

In some circumstances it might also be necessary to inform Parents/Carers of a search for an item banned by the school Behaviour Policy.

Townlands will record all searches carried out.

Complaints about searching or confiscation will be dealt with through the School's Complaints Policy.

Strip Searching

A strip search is a search involving the removal of more than outer clothing. School staff will not conduct a strip search of a pupil. Only police who have been asked to come to the school by Headteacher or a member of the senior team may decide whether a search is necessary and carry it out. The police can only carry out a search if they:

- Think this is necessary to remove an item related to a criminal offence, and
- Reasonably consider the pupil might have concealed such an item.

Calling the police into school is a last resort. The school will always put the best interest of the pupil first. This means that before the Headteacher or member of the senior team decide to call the police, they will first:

- Make sure that all other approaches have been exhausted.
- Carefully weigh up the risks to the pupil's mental and physical wellbeing with the need to conduct a search.

Before a strip search

- Where reasonably possible, the Headteacher or member of the Senior Team inform a parent/carer that a strip search will happen (and will always inform the parent/carer after it's been carried out).
- Make sure an 'appropriate adult' is present during the search. The definition of an appropriate adult is a person whose role is to safeguard the rights and welfare of children who are suspected of a criminal offence, by ensuring they're treated fairly and can participate effectively.

Supporting the pupils after a strip search takes place.

The school will always put safeguarding at the centre when supporting the pupil, regardless of whether a prohibited item is found. The pupil should have an opportunity to express their views regarding the search. If a prohibited item is found:

- The school will consider it a safeguarding matter as well as a police matter.

- The school will involve relevant staff such as the DSL (or deputy) and treat the pupil as potentially vulnerable.

If a prohibited item is not found:

- The school will take a safeguarding approach to supporting the pupil to cope with the experience of being searched.
- The school will consider the wider issues that may have informed the decision to request a search in the first place.

Links to other policies

Safeguarding Policy

Keeping Children Safe in Education

Behaviour Policy

Substance Misuse Policy

Anti-bullying Policy

Electronic and Social Media Policy