



QUORN HALL
SCHOOL

Searching, Screening and Confiscation Policy

Person Responsible: Headteacher / Nominated Assistant Headteacher

Last reviewed on: 9th July 2024

Next review due by: 9th July 2025

Created: Cavendish Centralised Policy

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Quorn Hall School is part of Newcome Education, which is owned and operated by Cavendish Education.

This policy is one of a series of school policies that, taken together, are designed to form a comprehensive statement of the school's aspiration to provide an outstanding education for each of its pupils and of the mechanisms and procedures in place to achieve this. Accordingly, this policy should be read alongside these policies. In particular it should be read in conjunction with the policies covering equality and diversity, Health and Safety, safeguarding and child protection.

All of these policies have been written, not simply to meet statutory and other requirements, but to enable and evidence the work that the whole school is undertaking to ensure the implementation of its core values:

- **'Levelling up'** – We want our children to be able to meet appropriate milestones and age related expectations, socially, emotionally and academically.
- **Thrive not survive** – We want our children to thrive in school and society, not just survive their adverse childhood experiences.
- **Confidence** – Develop confidence in their abilities and self image/esteem as learners and members of society.
- **Creativity** – Foster individuality and celebrate differences and create a compassionate and accepting environment. Provide tools that give pupils options, voice, and choice in order to enable them to be creative.
- **Competence** – In their ability to self-regulate and interact with different types of people and overcome the challenges and traumas from the past.
- **Character** – Develop resilience so they see failures or negative situations as a learning opportunity by implementing a growth mindset approach.
- **Compassion** – For pupils and the challenging circumstances they have encountered in both their personal and educational lives.
- **Care** – To overtly demonstrate to pupils that adults do care about them and their futures – every day is a fresh start.

While this current policy document may be referred to elsewhere in Quorn Hall School documentation, including particulars of employment, it is non-contractual.

In the school's policies, unless the specific context requires otherwise, the word "parent" is used in terms of Section 576 of the [Education Act 1996](#), which states that a 'parent', in relation to a child or young person, includes any person who is not a biological parent but who has parental responsibility, or who has care of the child.

Department for Education guidance [Understanding and dealing with issues relating to parental responsibility updated August 2023](#) considers a 'parent' to include:

- all biological parents, whether they are married or not
- any person who, although not a biological parent, has parental responsibility for a child or young person - this could be an adoptive parent, a step-parent, guardian or other relative
- any person who, although not a biological parent and does not have parental responsibility, has care of a child or young person

A person typically has care of a child or young person if they are the person with whom the child lives, either full or part time and who looks after the child, irrespective of what their biological or legal relationship is with the child.

The school employs the services of, among others, the following consulting companies to ensure regulatory compliance and the implementation of best practice:

- Peninsula BrightHR
- Peninsula BusinessSafe (Health and Safety)
- Atlantic Data/Due Diligence Checking Ltd (DBS)
- Educare / National College (online CPD)
- SchoolPro (data protection)
- Marsh Commercial (insurance)
- Neotas (Online searches / Social Media checks)
- VWV (legal)

Where this policy refers to 'employees', the term refers to any individual that is classified as an employee or a worker, working with and on behalf of the school (including volunteers and contractors).

Quorn Hall School is committed to safeguarding and promoting the welfare of children and young people and expects all staff, volunteers, pupils and visitors to share this commitment.

All outcomes generated by this document must take account of and seek to contribute to safeguarding and promoting the welfare of children and young people at Quorn Hall School.

The policy documents of Quorn Hall School are revised and published periodically in good faith. They are inevitably subject to revision. On occasions a significant revision, although promulgated in school separately, may have to take effect between the re-publication of a set of policy documents. Care should therefore be taken to ensure, by consultation with the Senior Leadership Team, that the details of any policy document are still effectively current at a particular moment.

1 Preamble

1.1 This policy is based on the government guidance document [Searching, screening and confiscation at school July 2022](#).

1.2 Searching can play a critical role in ensuring that schools are safe environments for all pupils and staff. It is a vital measure to safeguard and promote staff and pupil welfare, and to maintain high standards of behaviour through which pupils can learn and thrive.

1.3 Headteachers and staff they authorise have a statutory power to search a pupil or their possessions where they have reasonable grounds to suspect that the pupil may have a prohibited item and other items that the school rules identify as an item which may be searched for as listed in Section 2 below.

1.4 Being in possession of a prohibited item – especially knives, weapons, illegal drugs or stolen items – may mean that the pupil is involved, or at risk of being involved, in anti-social or criminal behaviour including gang involvement, and in some cases may be involved in child criminal exploitation. A search may play a vital role in identifying pupils who may benefit from early help or a referral to the local authority children’s social care services.

1.5 Under common law, school staff have the power to search a pupil for any item if the pupil agrees. The member of staff should ensure the pupil understands the reason for the search and how it will be conducted so that their agreement is informed.

1.6 Any searching of a pupil is implemented consistently, proportionately and fairly, in line with the relevant policies of the school.

2 Prohibited Items

2.1 The following items are prohibited by law and may be searched for:

- 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
 - to cause personal injury to or damage to property of any person (including the pupil)
- an article specified in regulations, namely:
 - tobacco and cigarette papers
 - fireworks
 - pornographic images

2.2 In addition, the school rules forbid the possession of the following items, which may be searched for under the same authorisation:

- E-cigarettes or vapes;
- Electronic devices, including mobile phones, where permission has not been given for the item to be used to support learning.
- Items which may be used to start a fire including matches, lighters, steel and flints.
- Cash or debit/credit cards
- Items or objects obtained from outside of school which may have a negative impact on a pupils' ability to access education

3 The decision to search or confiscate

3.1 When exercising their powers, the school considers the age and needs of pupils being searched or screened. This includes the individual needs or learning difficulties of pupils with Special Educational Needs (SEN) and making reasonable adjustments that may be required where a pupil has a disability.

3.2 School staff may consider using CCTV footage to decide whether to conduct a search for an item.

4 The role of the Headteacher, the designated safeguarding lead and authorised members of staff

4.1 Only the Headteacher, or a member of staff authorised by the Headteacher, can carry out a search. The Headteacher can authorise individual members of staff to search for specific items, or all items set out in the school's behaviour policy. For example, a member of staff may be authorised to search for stolen property and alcohol but not for weapons or drugs. The Headteacher may not require another member of staff to undertake a search if they refuse.

4.2 The Headteacher oversees 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 pupils and staff with support from the designated safeguarding lead (or deputy).

4.3 The Headteacher ensures that a sufficient number of staff are appropriately trained in how to lawfully and safely search a pupil who is not cooperating, so that these trained staff can support and advise other members of staff if this situation arises.

4.4 The Headteacher ensures that all staff understand their rights and the rights of the pupil who is being searched.

4.5 The designated safeguarding lead (or deputy) must 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 as listed in Section 2 above. The staff member must also involve the designated safeguarding lead (or deputy) without delay if they believe that a search has revealed a safeguarding risk.

4.6 If the designated safeguarding lead (or deputy) finds evidence that any child is at risk of harm, they make a referral to children's social care services immediately (as set out in part 1 of [Keeping children safe in education 2022](#)). The designated safeguarding lead (or deputy) should then consider the circumstances of the pupil who has been searched to assess the incident against potential wider safeguarding concerns.

4.7 See Section 11 below on recording searches.

5 Before searching

5.1 A search can be considered if the member of staff has reasonable grounds for suspecting that the pupil is in possession of a prohibited item or any item identified in the school rules for which a search can be made, or if the pupil has agreed. See Sections 1 and 2 above.

5.2 The authorised member of staff should make an assessment of how urgent the need for a search is and should consider the risk to other pupils and staff.

5.3 Before any search takes place, the member of staff conducting the search must explain to the pupil why they are being searched, how and where the search is going to take place and give them the opportunity to ask any questions.

5.4 The authorised member of staff should always seek the cooperation of the pupil before conducting a search. If the pupil is not willing to cooperate 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 instruction
- are unaware of what a search may involve

or

- have had a previous distressing experience of being searched.

5.5 If a pupil continues to refuse to cooperate, the member of staff may sanction the pupil in line with the school's behaviour policy, ensuring that they are responding to misbehaviour consistently and fairly.

5.6 If the member of staff still considers a search to be necessary, but is not required urgently, they should seek the advice of the Headteacher, designated safeguarding lead (or deputy) or pastoral member of staff who may have more information about the pupil. During this time the pupil must be supervised and kept away from other pupils.

5.7 If the pupil still refuses to cooperate, the member of staff should assess whether it is appropriate to use reasonable force to conduct the search, taking due account of the school's policy on the use of Physical Intervention. A member of staff can use such force as is reasonable to search for any prohibited items identified in Section 2 above, but not to search for items which are identified only in the school rules. 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 pupil harming themselves or others, damaging property or from causing disorder.

5.8 The use of reasonable force will differ depending on whether the member of staff is searching possessions (eg a bag or a locker) or the pupil themselves.

6 During a search: Where

6.1 An appropriate location for the search must be found.

6.2 Where possible, this should be away from other pupils.

6.3 The search must only take place on the school premises or where the member of staff has lawful control or charge of the pupil, for example on a school trip.

7 During a search: Who

7.1 The member of staff conducting the search must be of the same sex as the pupil (or as the pupil whose possessions are) being searched.

7.2 There must be another member of staff present as a witness to the search or where possible the parent/carer of the child.

7.2 There is a limited exception to the requirement of 7.1 above. 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 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 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.

7.3 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.

7.4 See Section 11 on recording searches.

8 During a search: The extent of the search

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

8.2 The person conducting the search must not require the pupil to remove any clothing other than outer clothing.

8.3 '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.

8.4 'Possessions' means any goods over which the pupil has or appears to have control – this includes desks, lockers and bags.

8.5 A member of staff is able to search lockers and desks or other personal spaces at the school for any item provided the pupil agrees.

8.6 If the pupil withdraws their agreement to search, a search may be conducted both for the prohibited items listed in Section 2 above.

8.7 A pupil's possessions can only be searched in the presence of the pupil concerned 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.

9 Strip searching

9.1 A strip search is a search involving the removal of more than outer clothing.

9.2 The school does not undertake strip searching. The law allows strip searches on school premises to be conducted only by the police. The member of staff's power to search outlined above does not enable them to conduct a strip search.

9.3 The school does not invite or allow the police to undertake strip searching of a pupil on school premises.

9.4 In the event of a serious risk occurring, if appropriate the school may seek the assistance of the police to manage the risk, but would always request that the police conduct any proposed strip search away from the school premises and having informed the parent(s).

9.5 Where such circumstances arise, school staff retain a duty of care to the pupil(s) involved and advocate for pupil wellbeing at all times.

10 After a search

10.1 Whether or not any items have been found as a result of any search, the school considers whether the reasons for the search, the search itself, or the outcome of the search give cause to suspect that the pupil is suffering, or is likely to suffer harm, and/or whether any specific support is needed. Where this may be the case, school staff must follow the school's child protection policy and speak to the designated safeguarding lead (or deputy). They consider if pastoral support, an early help intervention or a referral to children's social care is appropriate.

10.2 If any prohibited items are found during the search, the member of staff must follow the guidance set out below in Sections 14 and 15 below on confiscation.

10.3 If a pupil is found to be in possession of a prohibited item listed in Section 2 above, then the staff member must alert the designated safeguarding lead (or deputy) and the relevant senior staff member responsible for pupil discipline. The pupil should expect to be sanctioned in line with the school's behaviour policy to ensure consistency of approach.

11 Recording searches

11.1 Any search by a member of staff for a prohibited item listed in Section 2 above (including any searches conducted by police officers, should such an event ever occur for some reason) are recorded in the school's safeguarding reporting system, including whether or not an item is found.

11.2 The designated safeguarding lead (or deputy) then identifies possible risks and initiates a safeguarding response if required.

11.3 The school's log of searches includes:

- the date, time and location of the search
- which pupil was searched
- who conducted the search and any other adults or pupils present
- what was being searched for
- the reason for searching
- what items, if any, were found
and
- what follow-up action was taken as a consequence of the search

11.4 The school routinely reports on their search records to the governance body.

12 Informing parents

12.1 The school seeks to adopt a whole-school approach by building and maintaining positive relationships with parents. Parents are always directly informed of any search for a prohibited item listed in Section 2 involving a specific student, and the outcome of the search, as soon as is practicable. An appropriate member of staff informs the parents of what, if anything, has been confiscated and the resulting action the school has taken, including any sanctions applied.

12.2 Any complaints about searching or confiscation are dealt with through the normal school complaints procedures.

13 Screening

13.1 Screening is the use of a walk-through or hand-held metal detector (arch or wand) to scan pupils or visitors for weapons before they enter the school premises.

13.2 Recording of any screening should be done the same way as searching.

14 Confiscation: Items found as a result of a search

14.1 An authorised staff member carrying out a search can confiscate any item that they have reasonable grounds for suspecting:

- poses a risk to staff or pupils
- is listed in Section 2 above

or

- is evidence in relation to an offence

15 Confiscation: Prohibited or illegal items

15.1 Confiscated controlled drugs are delivered to the police by an appropriate senior member of staff 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. In determining whether there is a good reason to dispose of controlled drugs, the member of staff must have regard to the guidance in paragraph 15.2 below.

15.2 The member of staff must take into account all relevant circumstances and use their professional judgement to determine whether they can safely dispose of the controlled drug. When staff are unsure as to the legal status of a substance and have reason to believe it may be a controlled drug, they must treat it as such. If the member of staff is in doubt about the safe disposal of controlled drugs, they must deliver them to the police. The school normally hold securely-held test kits which are available for senior staff to field-test substances to identify controlled drugs.

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

15.4 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 must not return them to the pupil.

15.5 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 (ie 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.

15.6 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. See Section 16 below on searching electronic devices.

15.7 Where a member of staff finds stolen items, these must be delivered to the police as soon as reasonably practicable. However, if there is good reason to do so, the member of staff may also return the item to the owner, or retain or dispose of it if returning them to their owner is not practicable. In determining whether there is a good reason to return the stolen item to its owner or retain or dispose of the item, the member of staff must have regard to the guidance in paragraph 15.8 below.

15.8 The member of staff should take into account all relevant circumstances and use their professional judgement to determine whether they can safely dispose of the seized article. In taking into account the relevant circumstances, the member of staff considers the following:

- the value of the item – it would not be reasonable or desirable to involve the police in dealing with low value items such as pencil cases, though school staff may judge it appropriate to contact the police if the items are valuable
- whether the item is banned by the school
- whether retaining or returning the item to the owner may place any person at risk of harm

and

- whether the item can be disposed of safely

15.9 Any weapons or items which are evidence of a suspected offence must be passed to the police as soon as possible.

15.10 Items that have been (or are likely to be) used to commit an offence or to cause personal injury or damage to property must be delivered to the police as soon as reasonably practicable, returned to the owner, retained or disposed of. In deciding what to do with such an item, the member of staff must have regard to paragraphs 15.11-12 below.

15.11 The member of staff should take into account all relevant circumstances and use their professional judgement to determine whether the item should be delivered to the police, retained, returned to the owner or disposed of. In taking into account all relevant circumstances the member of staff should consider:

- whether it is safe to dispose of the item

and

- whether and when it is safe to return the item.

15.12 If a member of staff suspects a confiscated item has been used to commit an offence or is evidence in relation to an offence, the item must be delivered to the police.

15.13 Members of staff must use their judgement to decide to return, retain or dispose of any other items banned under the school rules. In deciding what to do with such an item, the member of staff must have regard to the guidance in paragraph 15.14 below.

15.14 The member of staff should take into account all relevant circumstances and use their professional judgement to determine whether they can safely dispose of the seized item. In taking into account all relevant circumstances, the member of staff should consider:

- the value of the item
- whether it is appropriate to return the item to the pupil or parent and
- whether the item is likely to continue to disrupt learning or the calm, safe and supportive environment of the school.

15.15 Members of staff must follow any additional instructions, guidance and procedures on the retention and disposal of items put in place from time to time by the school.

16 Electronic devices

16.1 Electronic devices, including mobile phones, can contain files or data which relate to an offence, or which may cause harm to another person. This includes, but is not limited to, indecent images of children, pornography, abusive messages, images or videos, or evidence relating to suspected criminal behaviour.

16.2 As with all prohibited items, staff should first consider the appropriate safeguarding response if they find images, data or files on an electronic device that they reasonably suspect are likely to put a person at risk.

16.3 Staff may examine any data or files on an electronic device they have confiscated as a result of a search, as defined in Section 14 above, if there is good reason to do so.

16.4 If the member of staff conducting the search suspects they may find an indecent image of a child (sometimes known as nude or semi-nude images), the member of staff should never intentionally view the image, and must never copy, print, share, store or save such images.

16.5 When an incident might involve an indecent image of a child and/or video, the member of staff should confiscate the device, avoid looking at the device and refer the incident to the designated safeguarding lead (or deputy) as the most appropriate person to advise on the school's response.

16.6. Handling such reports or concerns can be especially complicated and school follows the principles as set out in [Keeping children safe in education 2022](#). The school also takes account of the UK Council for Internet Safety guidance to support school staff and designated safeguarding leads: [Sharing nudes and semi-nudes: advice for education settings working with children and young people 2020](#).

16.7 If a member of staff finds any image, data or file that they suspect might constitute a specified offence, then they must be delivered to the police as soon as is reasonably practicable.

16.8 In exceptional circumstances members of staff may dispose of the image or data if there is a good reason to do so. In determining a 'good reason' to examine or erase the data or files, the member of staff must have regard to the following guidance in paragraphs 16.9-10 below.

16.9 In determining whether there is a 'good reason' to examine the data or files, the member of staff should reasonably suspect that the data or file on the device has been, or could be used, to cause harm, undermine the safe environment of the school and disrupt teaching, or be used to commit an offence.

16.10 In determining whether there is a 'good reason' to erase any data or files from the device, the member of staff should consider whether the material found may constitute evidence relating to a suspected offence. In those instances, the data or files should not be deleted, and the device must be handed to the police as soon as it is reasonably practicable. 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 continue to cause harm to any person and the pupil and/or the parent refuses to delete the data or files themselves.

17 Confiscation as a disciplinary penalty

17.1 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.

17.2 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.

17.3 Beyond this, the school expects staff members to act reasonably, under the relevant circumstances, in managing any items they have confiscated.

18 Review of implementation

18.1 The implementation of this Policy is reviewed annually by the school's Senior Leadership Team in consultation with staff and a report is made to the Governance Body.

18.2 The school may submit to Cavendish Education proposals for amendments to this Policy.