Searching, Screening and Confiscation Policy

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1. General

The *Education and Inspections Act 2006,* the *Violent Crime Reduction Act 2006* and *Apprenticeships, Skills, Children and Learning Act 2009* have given schools extra powers to screen and/or search pupils. These are in addition to the common law power to search pupils and confiscate items. These powers have been further extended under the *2011 Education Act.*

This policy provides guidance to staff on academy procedures and information on their legal position based upon their advice in 'Searching, Screening and Confiscation – Advice for schools' (July 23). This policy will refer to other linked legislation such as:

- Coroners and Justice Act 2009
- Criminal Justice and Immigration Act 2008
- Health and Safety at Work etc. Act 1974
- The Education Act 1996
- The Education (Independent School Standards) Regulations 2014
- The Schools (Specification and Disposal of Articles) Regulations 2012
- Health and Safety at Work Act 1974

Terminology:
For the purposes of this policy, the term academy refers to any educational establishment within Hatton Academies Trust and includes academies and schools.

References to Principal within this policy include the Headteacher or Head of School where these titles are used within individual settings. The terms Principal, Headteacher and Head of School are used interchangeably throughout this policy and should be interpreted as referring to the senior leader with overall responsibility for the setting.

2. Introduction and Aim:

Ensuring staff and pupils feel safe and secure is vital to establishing calm and supportive environments conducive to learning. Using searching, screening and confiscation powers appropriately is an important way to ensure pupil and staff welfare is protected and helps schools establish an environment where everyone is safe. This policy establishes our use of screening, searching and confiscation powers so that Principals and other staff have the confidence to use them if necessary.

Searching, screening and confiscation are safeguarding activities as well as behaviour management processes. Where concerns arise regarding possession of prohibited or harmful items, staff must consider whether the behaviour may indicate wider safeguarding concerns. Possession of weapons, controlled drugs, multiple mobile phones, unexplained cash or stolen items may indicate Child Criminal Exploitation (CCE), County Lines involvement or serious violence and should prompt safeguarding consideration by the DSL.

Hatton Academies Trust supports a phone-free school day. Expectations regarding the possession and use of mobile phones, smart watches and other personal internet-enabled devices are set out within each academy's Behaviour Policy.

All staff play a vital part of the wider safeguarding system for children. This system is described in the statutory guidance Working Together to Safeguard Children 2026 (as amended). Keeping children safe in education makes clear that all staff have a responsibility to provide a safe environment in which pupils can learn.

Aim - To discover whether pupils have offensive weapons and also drugs, alcohol, illegal drugs and stolen property in their possession after reasonable suspicion that they may have about them.

2.1 Obligations Under the European Convention for Human Rights

- Under article 8 of the European Convention of Human Rights pupils have a right to respect their private life. In the context of these particular powers, this means that pupils have the right to expect a reasonable level of personal privacy.
- The right under Article 8 is not absolute, it can be interfered with but any interference with this right by a school (or any public body) must be justified and proportionate.
- The powers to search in the Education Act 1996 are compatible with Article 8. A school exercising those powers lawfully should have no difficulty in demonstrating that it has also acted in accordance with Article 8. This advice will assist schools in deciding how to exercise the searching powers in a lawful way.
- Staff must ensure that any search is lawful, necessary, proportionate and justified. Decision-making should be informed by the individual circumstances of the child and take account of age, vulnerability, SEND, disability, mental health needs and safeguarding concerns.

3. Searching Pupils

Searching can play a critical role in ensuring that academies 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.

Principals 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 or any other item that the academy Behaviour Policy identifies as an item which may be searched for.

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 pupil).

an article specified in regulations:

- tobacco and cigarette papers;
- fireworks;
- indecent images of children;

- images, files or electronic material which create safeguarding concerns, including AI-generated, altered or manipulated imagery; and
- any item identified within the academy Behaviour Policy as prohibited.

Under common law, 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.

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. See Keeping Children Safe in Education and Working Together to Safeguard Children 2026 (as amended).

Each academy Behaviour Policy outlines the banned items for which a search can be made. This includes the list of prohibited items, and may include other items which a Principal has decided are detrimental to maintaining high standards of behaviour and a safe environment.

In line with each academy Behaviour Policy, mobile phones, smart watches and other personal internet-enabled devices may be identified as items for which a search may be undertaken where staff have reasonable grounds to suspect a pupil is in possession of such a device in breach of academy rules. Appropriate exemptions will be made where the device forms part of an agreed medical, disability or SEND provision.

Each academy Behaviour Policy is communicated to all members of the school community to ensure expectations are transparent to all pupils, parents and staff, and provide reassurance that any searching of a pupil will be implemented consistently, proportionately and fairly, in line with the policy.

When exercising the powers set out in this policy, staff must consider the age and needs of pupils being searched or screened. This includes the individual needs or learning difficulties of pupils with Special Educational Needs and Disabilities (SEND) and making reasonable adjustments that may be required where a pupil has a disability.

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

3.1 The role of the Principal, Designated Senior Lead and authorised members of staff
Only the Principal, or a member of staff authorised by the Principal, can carry out a search. The Principal can authorise individual members of staff to search for specific items, or all items set out in the academy 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 Principal should 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 pupils and staff with support from the Designated Safeguarding Lead (DSL) or Trust leadership team.

The Principal should ensure that a sufficient number of staff are appropriately trained in how to lawfully and safely search a pupil who is not co-operating, so that these trained staff can support and advise other members of staff if this situation arises. However, it is vital that all staff understand their rights and the rights of the pupil who is being searched.

The DSL or Deputy Designated Safeguarding Lead (DDSL) should 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. The staff member should also involve the DSL or DDSL without delay if they believe that a search has revealed a safeguarding risk.

If the DSL or DDSL finds evidence that a child may be at risk of significant harm, they should make a referral to children's social care services in line with locally agreed safeguarding thresholds and pathways. Where concerns do not meet this threshold, the DSL/DDSL will consider Early Help, pastoral support or other interventions.

3.2 Safeguarding Considerations Prior to Searching
Prior to carrying out a search, staff should consider:

- the pupil's age and stage of development;
- SEND and disability;
- communication needs;
- mental health needs;
- previous experiences of trauma;
- looked after or previously looked after status;
- cultural considerations;
- any known safeguarding concerns.

Staff should take a trauma-informed approach wherever possible and seek support from the DSL where appropriate.

Staff should record any rationale for deciding not to proceed with a search where safeguarding concerns remain and alternative action has been taken.

3.3 Prior to Searching
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.

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.

Before any search takes place, the member of staff should ensure the pupil is taken to an appropriate location for the search. Once there, the member of staff should explain why the search is required, how it will be conducted, and give the pupil the opportunity to ask questions.

The authorised member of staff should always seek the co-operation of the pupil before conducting a search. If the pupil 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 instruction;
- are unaware of what a search may involve;

- have had a previous distressing experience of being searched.

If a pupil continues to refuse to co-operate, 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.

If the member of staff still considers a search to be necessary, but is not required urgently, they should seek the advice of the principal, DSL or DDSL or pastoral member of staff who may have more information about the pupil. During this time the pupil should be supervised and, if possible, kept away from other pupils.

3.4 During a Search

3.4.1 Where should a search take place:
An appropriate location for the search should be found. Where possible, this should be away from other pupils. The search must only take place on the academy premises or where the member of staff has lawful control or charge of the pupil, for example on a school trip.

3.4.2 Who can conduct a search:
Searches should normally involve at least one member of staff who is the same sex as the pupil. This may be either the person conducting the search or the witness. Where this is not reasonably practicable, a search may still take place if the member of staff reasonably believes there is a risk of serious harm if the search is delayed. In accordance with statutory guidance, a search may take place where this is not possible if:

- the member of staff reasonably believes there is a risk of serious harm if the search is not conducted immediately; and
- it is not reasonably practicable to summon another member of staff.

3.4.3 The extent of the search
A member of staff may search a pupil's outer clothing, pockets, possessions, desks or lockers.

The person conducting the search must not require the pupil 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.

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

A member of staff is able to search lockers and desks or other personal spaces at the academy for any item provided the pupil agrees. Each academy sets a condition of having the locker or space that the pupil agrees to have these searched. If the pupil withdraws their agreement to search, a search may be conducted both for the prohibited items listed earlier in this policy and any items identified in the academy Behaviour Policy for which a search can be made.

Where an item (such as a bag or blazer) cannot be attributed to a specific pupil, staff may search it to establish ownership or to ensure it does not contain prohibited items. This is permitted under the academy's duty to maintain a safe environment.

A pupil's possessions should 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.

Where there is a risk of serious harm, staff may search a pupil's possessions without the pupil present. A second member of staff should be present where reasonably practicable. Consent is not required in circumstances where serious harm may occur if the search is delayed.

The member of staff may use a metal detector to assist with the search. Use of a hand-held metal detector (wand) may include scanning areas of clothing where items are commonly concealed, such as the chest area. This does not constitute a strip search, provided the pupil remains fully clothed and no intimate parts are exposed. If an item is detected under clothing, staff should instruct the pupil to remove the item themselves. Where a male staff member is present, they should avoid positioning themselves in a way that could cause discomfort or embarrassment.

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

3.4.4 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. 12 While the decision to undertake the strip search itself and its conduct are police matters, school staff retain a duty of care to the pupil(s) involved and should advocate for pupil wellbeing at all times. A member of the academy senior leadership team must always be informed before a strip search takes place at the academy.

Before calling police into school, staff should assess and balance the risk of a potential strip search on the pupil's mental and physical wellbeing and the risk of not recovering the suspected item. Staff should consider whether introducing the potential for a strip search through police involvement is absolutely necessary, and should always ensure that other appropriate, less invasive approaches have been exhausted. Once the police are on school premises, the decision on whether to conduct a strip search lies solely with them, and the role of the school is to advocate for the safety and wellbeing of the pupil(s) involved.

Unless there is an immediate risk of harm and where reasonably possible, staff should 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 should always be informed by a staff member once a strip search has taken place. Schools should keep records of strip searches that have been conducted on school premises and monitor them for any trends that emerge.

3.4.5 The process the police must follow during a strip search

Except in cases of urgency where there is risk of serious harm to the pupil or others, whenever a strip search involves exposure of intimate body parts there must be at least two people present other than the pupil, one of which must be the appropriate adult. If

the pupil's parent would like to be the appropriate adult, the school should facilitate this where possible. Police officers carrying out the search must be of the same sex as the pupil being searched. An appropriate adult not of the same sex as the pupil being searched may be present if specifically requested by the pupil. Otherwise, no-one of a different sex to the pupil being searched is permitted to be present, and the search must not be carried out in a location where the pupil could be seen by anyone else.

Except in urgent cases as above, a search of a pupil may take place without an appropriate adult only if the pupil explicitly states in the presence of an appropriate adult that they do not want an appropriate adult to be present during the search and the appropriate adult agrees. A record should be made of the pupil's decision and signed by the appropriate adult. The presence of more than two people, other than an appropriate adult, shall be permitted only in the most exceptional circumstances. Due consideration must be given by senior leaders to the level of vulnerability of the child in relation to a child stating an appropriate adult is not required to be present.

Strip searching can be highly distressing for the pupil involved, as well as for staff and other pupils affected, especially if undertaken on school premises. PACE Code C states that a strip search may take place only if it is considered necessary to remove an item related to a criminal offence, and the officer reasonably considers the pupil might have concealed such an item. Strip searches should not be routinely carried out if there is no reason to consider that such items are concealed.

3.4.6 After-care following a strip search

Pupils must be given appropriate support, irrespective of whether the suspected item is found. If an item is found, this may be a police matter, but should always be accompanied by a safeguarding process handled by the academy which gives attention to the pupil's wellbeing and involves relevant staff, such as the DSL or DDSL.

Safeguarding should also be at the centre of support following a strip search in which the item is not found, both in the sense of supporting the pupil to deal with the experience of being searched, and regarding wider issues that may have informed the decision to conduct a strip search in the first place.

In both cases, pupils should feel that they have an opportunity to express their views regarding the strip search and the events surrounding it. School staff should give particular consideration to any pupils who have been strip searched more than once and/or groups of pupils who are more likely to be subjected to strip searching with unusual frequency, and consider preventative approaches.

Following any strip search, the DSL must undertake a safeguarding review considering:

- the pupil's wellbeing;
- any trauma caused by the experience;
- whether exploitation concerns are present;
- whether further support services are required;
- whether any equality or disproportionality concerns arise.

The review should be recorded on the pupil's safeguarding record.

3.5 After a search

Whether or not any items have been found as a result of any search, staff should consider 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, staff should follow the HAT Child Protection Policy and speak to the DSL or DDSL as set out in Part 1 of Keeping Children Safe in Education. They will consider if pastoral support, an early help intervention or a referral to children's social care is appropriate. If any prohibited items are found during the search, the member of staff should follow the guidance set out later on in the section regarding confiscation.

If a pupil is found to be in possession of a prohibited item listed in this policy, then the staff member should alert the DSL or DDSL and the pupil should be sanctioned in line with the Academy Behaviour Policy to ensure consistency of approach.

Staff should consider whether a search outcome indicates a need for:

- Early Help;
- Mental Health Support;
- Child in Need assessment;
- Child Protection referral;
- contextual safeguarding assessment;
- intervention regarding child criminal exploitation.

3.6 Recording Searches

Any search by a member of staff for a prohibited item listed in this policy and all searches conducted by police officers must be recorded on the pupil's CPOMS / MyConcern file for;

- prohibited item searches
- police searches
- strip searches
- electronic device searches

This will allow the DSL (or another safeguarding leader) to identify possible risks and initiate a safeguarding response if required. Principals may also decide that all searches for items banned by the academy should be recorded (See appendix 1 for recording form). Staff members should follow the Academy Behaviour Policy in these cases.

Academies are encouraged to include in the record of each search:

- the date, time and location of the search;
- which pupil was searched;
- who conducted the search and any other adults or pupils present;
- rationale for the search;
- what items, if any, were found;
- whether consent was sought and whether consent was obtained;
- whether force was used;
- safeguarding considerations;
- outcomes and follow-up action.

Where a high number of searches are completed, Principals should consider whether the searches fall disproportionately on any particular groups of pupils by analysing the

recorded data. In such cases where searching is falling disproportionately on any group or groups, they should consider whether any actions should be taken to prevent this. See also paragraphs 108-110 of DfE Behaviour in Schools guidance.

The Trust will ensure that CPOMS/MyConcern includes a dedicated category for recording searches and disposal of confiscated items.

3.7 Informing Parents
Each academy should reinforce the whole-school approach by building and maintaining positive relationships with parents. Parents/carers will normally be informed as soon as practicable. In exceptional circumstances, advice may be sought from children's social care or police before informing parents, where doing so may increase risk to the child. A member of staff should inform the parents of what, if anything, has been confiscated and the resulting action the academy has taken, including any sanctions applied.

Each academy should consider that in some circumstances it might also be necessary to inform parents of a search for an item banned by the academy Behaviour Policy. Any complaints about searching, screening or confiscation should be dealt with through the HAT Complaints Policy.

3.8 Use of Force
Reasonable force may be used where necessary to conduct a search for prohibited items where authorised by legislation and where appropriate to the circumstances. Any use of force must:

- be proportionate;
- be reasonable;
- use the minimum intervention necessary;
- be recorded in accordance with Trust procedures.

Any use of force should be reported to the DSL and Principal.

4. Screening Pupils

Screening is the use of walk-through or hand-held metal detectors to scan pupils for prohibited items. Screening may take place at entry points, during line-ups, or at other appropriate times such as examinations.

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

Academies have a statutory power to make rules on pupil behaviour and their duties as employers in relation to the safety of staff, pupils and visitors enables them to impose a requirement that pupils undergo screening.

Where an academy intends to install fixed screening equipment, the Principal should consult the Trust leadership team and may seek advice from local police. Hand-held wands used as part of routine behaviour management do not require police consultation.

If a screening arrangement is introduced, the Trust will inform pupils and parents in advance to explain what the screening will involve and why it will be introduced.
Where a pupil has a disability, the academy will make any reasonable adjustments to the screening process that may be required.
If a pupil refuses to be screened, the member of staff should consider why the pupil is not co-operating, and make an assessment of whether it is necessary to carry out a search.

Any decision to introduce screening arrangements should be proportionate, evidence-based and reviewed periodically.

Each academy must maintain a risk assessment for screening arrangements, including frequency, location, staffing, and any equality considerations. This should be reviewed annually.

5. Confiscation of items from a pupil

5.1 Items found as a result of a search

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 prohibited, or identified in the Academy Behaviour Policy for which a search can be made; or
- is evidence in relation to an offence.

5.2 Prohibited or illegal items

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. In determining whether there is a good reason to dispose of controlled drugs, the member of staff must have regard to the guidance in the next paragraph.

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 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 should treat it as such. If the member of staff is in doubt about the safe disposal of controlled drugs, they should deliver them to the police.

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. Any prohibited item confiscated from a pupil must be stored in a lockable room until a next steps decision is taken.

Any controlled drug that is confiscated should be logged on the CPOMs/MyConcern record of the student. This log should, where possible, name the substance the quantity found and the way it has been safely disposed of. Any controlled drug should be locked away securely under SLT custody until collected by the police or safely disposed of. Once handed over or safely disposed of this should be logged on CPOMs/MyConcern as a record of disposal.

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. 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.

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 following guidance in the next paragraph.

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 should consider 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 academy;
- 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.

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

Items that have been (or are likely to be) used to commit an offence or to cause personal injury or damage to property should 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 the guidance in the following two paragraphs.

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

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 should be delivered to the police. Members of staff should 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 the next paragraph.

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 academy.

Members of staff should follow any additional guidance and procedures on the retention and disposal of items put in place by the academy.

Where weapons or items associated with serious violence are discovered, the academy must consider wider violence reduction and contextual safeguarding approaches in addition to disciplinary measures.

5.3 Electronic devices

Electronic devices may contain evidence relating to:

- child-on-child abuse;
- online bullying;
- exploitation;
- criminal activity;
- harmful sexual behaviour;
- sharing of nudes or semi-nudes;
- AI-generated or manipulated imagery.

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.

Staff may examine any data or files on an electronic device they have confiscated as a result of a search if there is good reason to do so (as set out in the first paragraph at the start of section 5). Consent of the child can be sought to complete this search but is not required is there is a good reason to conduct it. Staff should recognise that content may be encrypted, hidden, time-limited, stored within cloud services or shared through applications not immediately visible.

Staff should have regard to UK Council for Internet Safety (UKCIS) guidance "Sharing Nudes and Semi-Nudes" and DFE summary guidance, while also following advice from local police where appropriate, when responding to incidents involving intimate imagery.

The academy recognises the increasing risks posed by AI-generated imagery, deepfake technology and digitally manipulated content. Any concerns relating to such material should be referred immediately to the DSL.

All searches and examinations of electronic devices must be recorded on CPOMS/ MyConcern and/or the academy behaviour recording system.

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.

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 DSL or DDSL as the most appropriate person to advise on the academy's response.

Handling such reports or concerns can be especially complicated and schools should follow the principles as set out in KCSIE. The UK Council for Internet Safety also provides the following guidance to support staff and DSLs: Sharing nudes and semi-nudes: advice for education settings working with children and young people. 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.

However, police may advise the academy to retain the device securely or return it to parents/carers. The academy will follow police direction in each case. Devices suspected to contain indecent images will be stored securely until police collect them or provide written/recorded instruction regarding disposal or return.

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 guidance in the following two paragraphs.

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 academy and disrupt teaching, or be used to commit an offence.

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.

5.4 Confiscation as a disciplinary penalty

Each academy has a general power to discipline which enables a member of staff to confiscate, retain or dispose of a pupil's property as a disciplinary penalty, where reasonable to do so.

Where a pupil is found to be in possession of a mobile phone, smart watch or other prohibited personal electronic device contrary to academy rules, staff may confiscate the item as a disciplinary sanction in accordance with the Academy Behaviour Policy. The device will be retained, stored and returned in accordance with academy procedures.

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.

6. Responsibilities

The Principal will ensure that this policy on searching and confiscation of possessions is brought to the notice of parents and carers.

The Principal is responsible for informing staff, parents/carers, and pupils of the policy, and how the policy will be put into action.

The Principal is responsible for informing the CEO.

The DSL is responsible for:

- reviewing search incidents for safeguarding implications;
- ensuring records are maintained;
- identifying vulnerabilities and safeguarding themes;
- supporting staff involved in significant search incidents.

No members of staff may be directed by the Principal or other senior member of staff to search pupils. They can only be authorized to do so.

7. Training for Staff

All staff will receive regular safeguarding and behaviour training which includes:

- searching and confiscation powers;
- safeguarding implications of searches;
- child criminal exploitation;
- county lines;
- serious violence;
- online safety;
- searching electronic devices;
- handling incidents involving nudes and semi-nudes;
- equality and unconscious bias considerations.

8. Trust Monitoring and Review

This policy will be monitored through reports to the CEO.

Principals will review search records termly in order to identify:

- repeat searches;
- safeguarding trends;
- whether searches disproportionately affect pupils with protected characteristics under the Equality Act 2010 and take action where patterns emerge.
- patterns involving vulnerable learners.

Significant concerns and emerging themes should be reported to the CEO and through Trust safeguarding trustee arrangements.

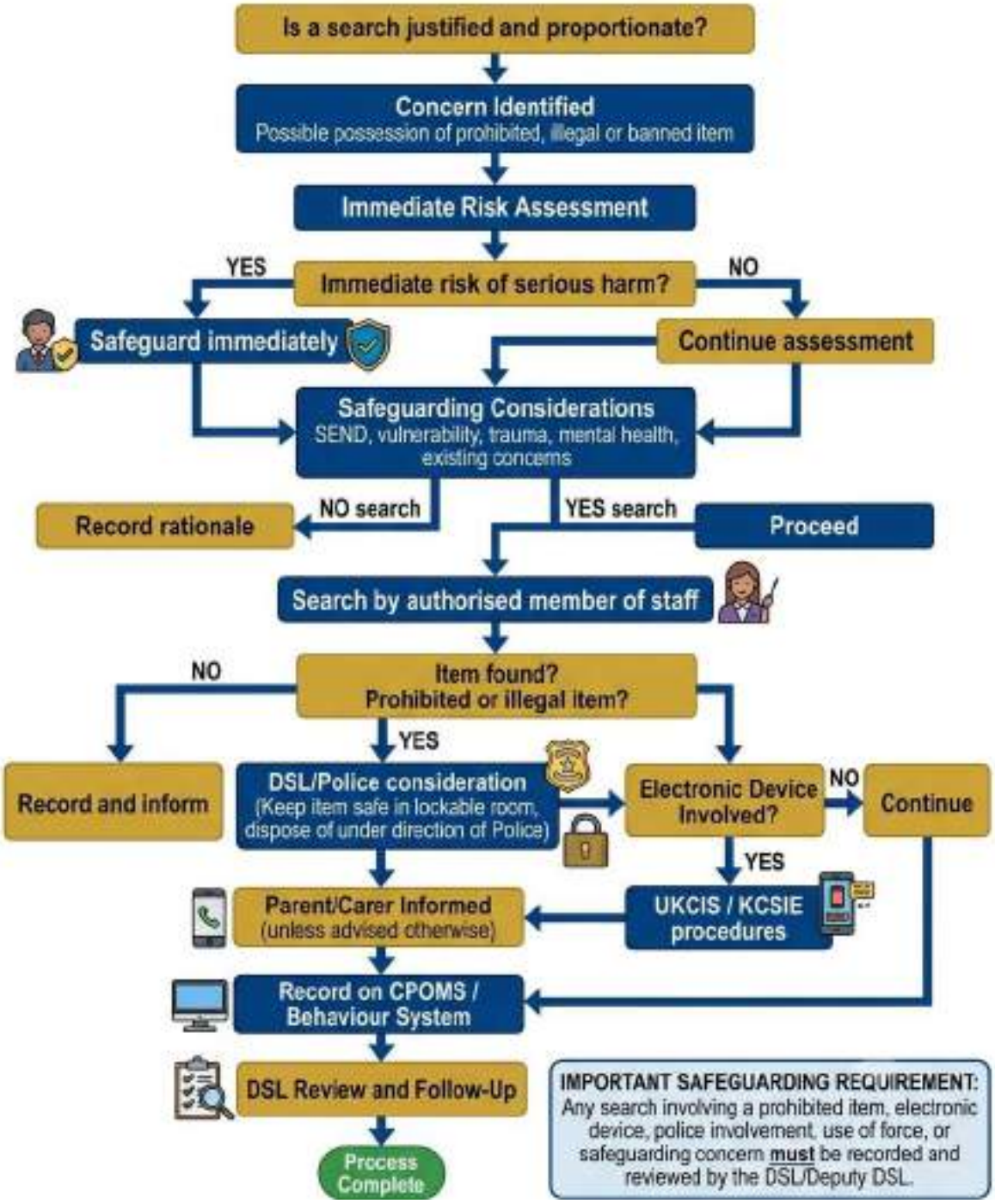
The policy will be reviewed annually or earlier if appropriate e.g. due to a change of legislation or guidance from the Secretary of State for Education.

9. Appendix 1: Log of Incidents involving search of a pupil or electronic device

Academy:			Date:		Time:
Pupil searched					Form/Year
Consent sought	Yes	No	Consent obtained	Yes	No
Adults present at the search					
Other pupils involved/present					
Rationale for search (Incident leading to the search and items being searched for)					
Pupil response to the search/behaviour and what was said during the search					
Was Force Used? (Details of any injury/damage to property)					
Police: if involved give details of officers attending and response					
DSL Informed?	Yes	No	Parent Informed?	Yes	No
Safeguarding concern identified?	Yes	No	Recorded on CPOMS / MyConcern	Yes	No

Details of property seized
Details of property disposed of / returned

10. Appendix 2: Searching Pupils – Summary of Actions



11. Appendix 3: Purpose of Screening

1. Purpose of Screening

Screening is used to identify prohibited items such as vapes, knives, fireworks and other harmful objects. It supports safeguarding, behaviour management and ensures a calm, safe environment.

2. Scope of Screening

Type of screening used:

□ Walk-through arch

□ Handheld wand

Locations where screening occurs:

□ Line-ups

□ Exam halls (mock and formal exams)

□ Main entrance

□ Other: _____

Frequency:

□ Daily

□ Random

□ Targeted

□ Exam periods

□ Other: _____

3. Legal Basis

Screening is carried out under statutory powers in the Education Act 1996 and DfE guidance. Pupils may be screened without consent. Reasonable adjustments are made for pupils with disabilities.

4. Hazards & Risks

Hazard	Risk	Who May Be Harmed	Existing Controls	Risk Rating	Further Actions Required
Incorrect wand use	Physical discomfort during screening	Pupils	Staff trained in the safe use of handheld metal detectors;	Low	None

			wand used externally only; no physical contact with pupils		
Screening pupils with SEND	Anxiety, distress or sensory discomfort	Pupils with SEND	Reasonable adjustments made where required; SENDCo consulted; alternative arrangements considered where appropriate	Med	Staff refresher training on SEND and trauma-informed approaches
Gender sensitivities	Embarrassment or discomfort during screening	Pupils	Same sex staff available where possible; Screening undertaken respectfully and discreetly	Low	None
Discovery of prohibited item	Escalation of behaviour or safeguarding concerns	Pupils, staff	Clear search and confiscation procedures in place; DSL notified immediately; staff trained in de-escalation	Med	Review and communicate escalation flowchart annually
Parent/carer complaints	Disagreement or conflict regarding screening procedures	Staff, leadership team	Clear communication with parents/carers; policy published and shared; concerns managed through	Low	None

			complaints procedure		
Equipment failure	Inconsistent or ineffective screening	Pupils, staff	Weekly equipment checks completed; spare handheld wand available	Low	None
Dis-proportionate impact	Equality, discrimination or bias concerns	Specific pupil groups	DSL monitors screening records and outcomes termly; safeguarding oversight in place	Med	Complete termly equality impact review of screening data

5. Staff Training Requirements

Training delivered by:

Date:

Review cycle: Annual

Staff trained in wand use, trauma-informed practice, SEND adjustments, and safeguarding escalation.

6. Safeguarding Considerations

- DSL/DDSL informed of all prohibited items found.
- Patterns monitored for exploitation, county lines or peer-on-peer abuse.
- Distressed pupils offered pastoral support.
- Concerns meeting threshold for significant harm referred via local pathways.

7. Equality & Inclusion

- Adjustments made for pupils with sensory needs.
- Screening data reviewed termly for disproportionality.
- Cultural sensitivities considered.

8. Equipment Safety Checks

Date of last check:

Checked by:

Issues identified:

Actions taken:

9. Communication

- Screening arrangements communicated via:
- Behaviour Policy
- Parent Information Letters
- Assemblies
- Staff briefing

10. Incident Recording

All incidents recorded on CPOMS under the "Search / Screening" category.

11. Review & Sign-off

Completed by:

Date:

Reviewed by Principal:

Date:

Reviewed by Trust:

Date:

Next review due: