NORTHGATE
High School

Searching, Screening and Confiscation Policy

Respect | Determination | Teamwork

Review period: Biennial

Review by: Mr J Tunaley

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Next Review: January 2028

Searching, Screening and Confiscation Policy

1. Searching

1.1 Searching can play a critical role in ensuring that Northgate High School is a safe environment for all students and staff. It is a vital measure to safeguard and promote student and staff welfare, and to maintain high standards of behaviour through which students can learn and thrive.

1.2 The Headteacher and authorised staff have a statutory power to search students or their possessions where they have reasonable grounds for suspecting that the student may have a prohibited item or an item banned under school rules. For the purpose of this policy authorised staff include:

- Members of the senior leadership team
- Heads of Year
- Assistant Heads of Year
- Safeguarding Manager
- Safeguarding Practitioner
- Intervention Centre Manager

1.3 Prohibited items are:

- knives or items which could be perceived as a weapon
- smoking paraphernalia
- illegal drugs
- alcoholic substances
- stolen items
- 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 property of; any person (including the student)

1.4 Items banned by the school:

- chewing gum
- vapes/shisha pens/e-cigarettes

(Please note this list is not exhaustive)

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

1.6 The staff member must decide in each particular case what constitutes reasonable grounds for suspicion. For example, they may have heard other students talking about an item or they might notice a student behaving in a way that causes them to be suspicious. School staff are also permitted to utilise CCTV footage in order to decide as to whether to conduct a search for an item.

2. Searching with Consent

2.1 School staff can search students with their consent for any item. Staff are not required to have formal written consent from the student (or parent/carer) for this sort of search – it is enough for the staff member to ask the student to turn out their pockets or to look in the student's bag or locker, and for the student to agree.

2.2 If a member of staff suspects a student has a banned item in their possession, they can instruct the student to turn out their pockets or bag and, if the student refuses, the staff member can apply an appropriate disciplinary sanction as set out in the school's Student Behaviour and Discipline Policy. A student refusing to co-operate with such a search raises the same issues as a student who refuses to stay in a detention or refuses to stop any other unacceptable behaviour when instructed to do so by a member of staff – in such circumstances, the school will apply an appropriate sanction based on the school behaviour policy.

3. Students Refusing a Search

3.1 Authorised members of staff should always seek the co-operation of the student before conducting a search. If the student is not willing to co-operate with the search, the member of staff should consider why this is. If the student continues to refuse to co-operate, the member of staff may sanction the student in line with the 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 senior leadership team. During this time the student should be supervised and kept away from other students.

3.2 If the student continues to refuse to be searched, parents/carers or the police may be called to assist.

3.3 The member of staff should assess whether it is appropriate to use reasonable force to conduct the search. A member of staff can use such force as is reasonable to search for any prohibited items identified in the list above. 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 student harming themselves or others, damaging property or from causing disorder.

3.4 This guidance should be read alongside the Northgate Physical Intervention and Restraint Policy.

4. During a Search

4.1 An appropriate location for the search will be found, which where possible should be away from other students. The search must only take place on the school premises or where the member of staff has lawful control or charge of the student, for example on a school trip.

4.2 The staff member conducting the search will be the same sex as the student being searched. There will always be another member of staff who will, where possible, be the same sex as the student being searched, to witness to the search.

4.3 There is a limited exception to this rule. This is that a member of staff can search a student 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 the same sex as the student or it is not reasonably practicable for the search to be carried out in the presence of another member of staff. The member of staff conducting the search should bear in mind that a student's expectation of privacy increases as they get older.

4.4 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 recorded on CPOMS.

4.5 The staff member conducting the search may not ask the student to remove any clothing other than outer clothing, i.e. clothing that is not worn next to the skin or immediately over a garment that is being worn as underwear, including hats, shoes, boots, gloves and scarves.

4.6 A student's possessions can only be searched in the presence of the student 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.

4.7 For the purposes of this policy "possessions" means any goods over which the student has, or appears to have, control and would include their desk, locker and bag(s). It is a condition of having a locker that the student consents to have these searched for any item whether or not the student is present.

The member of staff may use a metal detector to assist with the search.

5. After the Search

5.1 Whether or not any items have been found as a result of any search, the school will consider whether the reasons for the search, the search itself, or the outcome of the search give cause to suspect that the student is suffering, or is likely to suffer harm, and/or whether any specific support is needed. Where this may be the case, school staff should follow the school's Safeguarding and Child Protection policy and speak to the Designated Safeguarding Lead. They will also consider if other pastoral support is necessary or appropriate. If any prohibited items are found during the search, the member of staff should follow the guidance set out below on confiscation.

6. Sanctions

6.1 The discovery of any prohibited items will result in sanctions being applied in line with the school's Behaviour Policy. The level of sanction will be decided in discussion with a member of the school's SLT, but may include one or more of

the following:

- Loss of social time
- Detention
- Ban from defined areas
- Time in the intervention centre
- Suspension
- Permanent Exclusion

7. Confiscation as a Disciplinary Penalty

7.1 Schools' general power to discipline enables a member of staff to confiscate, retain or dispose of a student'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.

8. Recording

8.1 Any search by a member of staff for a prohibited item and all searches conducted by police officers should be recorded in CPOMS, including whether or not an item is found. This allows the designated safeguarding lead to identify possible risks and initiate a safeguarding response if required.

Searches for items banned by the school rules should be recorded on CPOMS and include the following details:

- Which student was searched
- Who conducted the search and any others who witnessed
- What was being searched for
- The reason/justification for searching
- What items, if any, were found
- Any follow up actions/sanctions

9. Informing Parents/Carers

9.1 Parents/Carers will be informed of any search for a prohibited item or item banned by school rules and the outcome of the search as soon as is practicable. A member of staff will inform the parents/carers of what, if anything, has been confiscated and the resulting action that has been taken, including any sanctions applied.

9.2 Any complaints about searching, screening or confiscation should be dealt with through the normal school complaints procedure.

10. Screening

10.1 Screening helps to provide reassurance to students, staff and parents that the school is taking measures to create a calm, safe and supportive environment.

10.2 Screening is the use of a hand-held metal detector to scan students for prohibited items before they enter the school premises. The school will only do this in conjunction with the local police force when there is a heightened risk in the community.

10.3 If a student refuses to be screened, the member of staff should consider why the student is not co-operating, and assess whether it is necessary to carry out a search and if a sanction, in line with the behaviour policy, is necessary.

11. Items Found on as a Result of the Search

11.1 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 students;
- is prohibited, or identified in the school rules;
- is evidence in relation to an offence.

11.2 Where a member of staff finds controlled drugs, they must be delivered to the police as soon as possible. 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. In each instance these should be locked away until the police can arrive to collect them.

11.3 Where a member of staff 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 student.

11.4 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.

11.5 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.

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

11.7 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, retained or disposed of.

11.8 Where a member of staff finds an item which is banned under the school rules, they should take into account all relevant circumstances and use their professional judgement to decide whether to return it to its owner, retain it or dispose of it.

12. Electronic Devices

12.1 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. 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.

12.2 Authroised 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.

12.3 If the authroised 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 designated safeguarding lead to advise on the school's response.

12.4 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. 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 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.
- 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 student and/or the parent refuses to delete the data or files themselves.