# Searching Pupil's & Confiscation of a Pupil's Property Policy

Date reviewed: September 2025
Date of next review: September 2027

Rastrick High School

Polaris Multi-Academy Trust

**1. Aim of the Policy**

The aim of the policy is to secure the safety of its pupils and staff.

A pupil in possession of drugs, alcohol, weapons, or imagery stored on electronic devices will be considered by the school as vulnerable and at risk of exploitation. The Keeping Children Safe in Education document highlights the need for the school to be alert to the potential risks of children who are:

- Showing signs of being drawn in to anti-social or criminal behaviour
- In challenging family circumstances, such as drug and alcohol misuse
- Misusing drugs or alcohol themselves

A search can 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. The school's designated safeguarding lead (DSL) will make an immediate referral if they find evidence that pupils are at risk of harm.

**2. What reasonable grounds for a search of a pupil to take place and gaining consent for a search**

2.1 Reasonable grounds

- Hear the pupil or other pupils talking about an item.
- Be told directly of an item by a pupil, member of staff or a member of the public.
- A member of staff has seen an item.
- Notice a pupil behaving in a way that causes you to suspect that they're concealing an item.
- Observations made via CCTV.

2.2 Gaining consent for a search of a pupil.

The school will openly and honestly communicate with the pupil and their (if appropriate) parent / guardian to gain consent for a search for prohibited or banned items. In line with the school's behaviour policy, the school will consider an appropriate sanction for pupils if they refuse to cooperate with a search for a prohibited or banned item.

**3. How searches will be conducted**

The school will always act. In accordance with government guidance, in doing so the school will conduct searches of pupils using the following principles:

A. Staff members have the power to search pupils for any item if the pupil agrees, under the common law (paragraph 4 of the DfE guidance).
B. Only the Head of School and members of staff authorised by the Head of School have the power to search a pupil for a prohibited or banned item, regardless of whether the pupil agrees (sections 550ZA and 550ZB of the Education Act 1996, and paragraph 10 in the guidance).
C. The list of prohibited items can be found in Annex 1 of this policy.
D. These members of staff are: Leo Timmins, Deputy Headteacher, Rachel Bailey Deputy Headteacher, Oliver Winterbottom, Assistant Headteacher, James Endersby, Assistant Headteacher
E. The member of staff carrying out the search will always be the same sex as the pupil and there will always be another member of staff present when the search is taking place.

F. The only exception to the point D is if the Head of School reasonably believes that there is a risk of serious harm being caused to a person if a search isn't carried out urgently.

3.1 Procedure for Before a search takes place:

The Head of School or authorised staff member should:

- Assess how urgent the search is and consider the risk to other pupils and staff.
- Explain to the pupil why they are being searched, how and where the search will happen, and give them the opportunity to ask questions about it.
- Always seek the pupil's cooperation.

3.2 If a pupil refuses to co-operate:

In this case, the authorised member of staff should first consider why this is, and act proportionally. It may be that the pupil:

- Is in possession of a prohibited or banned item.
- Doesn't understand your instructions or what a search will involve.
- Has had a previous distressing experience of being searched.

If the pupil still refuses to cooperate:

- The school will sanction the pupil in line with your behaviour policy.
- If you don't think that a search is needed urgently, seek advice from the Head of School, DSL or pastoral member of staff. During this time, the pupil should be supervised somewhere away from other pupils.
- Assess whether it's necessary to use reasonable force to conduct the search. Consider whether this would prevent the pupil from harming themselves or others, damaging property or causing disorder. **Note**: reasonable force will only be used to search for prohibited items, but not other items banned in the school.

3.3 Searching a pupil's clothes:

The search of the pupil will be carried out in an appropriate location that offers privacy from other pupils.

Authorised staff can search a pupil's pockets and require pupils to remove outer clothing, meaning clothes that are not worn directly next to the skin or over underwear.

Outer clothing also includes:

- Hats
- Scarves
- Shoes or boots
- Coats

The school will not ask pupils to take off any further items of clothing.

The authorised member of staff will be sensitive to whether a pupil is wearing outer clothing for religious reasons when staff conduct a search. For example, you shouldn't require a female pupil to remove a headscarf she's wearing for religious reasons if your witness is male.

3.4 Searching a pupil's possessions:

Authorised staff will search lockers, desks, and bags in the presence of the pupil and another member of staff.

**4. Conducting a strip search of a pupil on school premises**

School staff will not conduct a strip search of a pupil.

Only police who have been asked to come to the school by Head of School 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.

4.1 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 Head of School or member of the senior team decide to call the police into, 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.

4.2 Before a strip search

- Where reasonably possible, the Head of School or member of the Senior Team inform a parent / guardian that a strip search will happen (and will **always** inform the parent / guardian 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.

4.3 During a strip search.

- The police officers conducting a strip search **must** be the same sex as the pupil.
- There **must** be at least 2 people present other than the pupil, including the 'appropriate adult' (see 4.2). The search may only take place without an appropriate adult if:
    - It's an urgent case where there is risk of serious harm to the pupil or others, or
    - The pupil explicitly states that they don't want an appropriate adult present for the search, and the appropriate adult agrees and signs a record of the pupil's decision.
- The appropriate adult should be the same sex as the pupil, unless they specifically request someone else.

4.4 The school's role in the case of a strip search taking place.

The Head of School and they're staff role is to advocate for pupils' wellbeing at all times. A strip search can be highly distressing for the pupil, and for staff and other pupils affected.

The police **cannot** overrule the Head of School (or delegated staff) safeguarding duty, for example by requesting that the appropriate adult leave the room when they talk to the pupil.

More information is available on the process the police must follow on page 13 of the DfE's searching, screening and confiscation guidance.

**5. 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 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.

**6. Recording searches.**

The school will make a record in CPOMs (the school's safeguarding record system):

- Any searches for prohibited items.
- Any search conducted by police officers.
- The school will record a search whether any items were found.

Heads of School may also decide to record searches for other items banned by your school, but this should be followed consistently.

The school will use the CPOMs record to look for any trends in the searches carried out at the school, and to identify any possible risks that may require a safeguarding response.

**7. Confiscation of pupil's property.**

Authorised staff members can confiscate any item they find that they have reasonable grounds for suspecting:

- Poses a risk to staff or pupils.
- Is a prohibited or banned item.
- Is evidence in relation to an offence.

**8. Searching for and confiscating electronic devices.**

Authorised staff members may examine any data or files on an electronic device that they have confiscated, if they have good reason to do so. The school will reasonably suspect that the device has (or could be used to):

- Cause harm to themselves or others.
- Undermine the safe environment of the school and/or disrupt teaching.
- Commit an offence.

8.1 If pornographic material is discovered on a pupil's electronic device.

If the school discovers inappropriate images, video, or other material, it may dispose of them (see page 20 of the DfE's guidance for advice on when you can do this).

If the school has reasonable grounds to suspect that their possession is related to a specific illegal offense, it will not destroy the material. Instead, it will hand the material, or device containing the material, over to the police as soon as possible.

If the school suspects suspect it may find an indecent image or video of a child on a device, staff will avoid viewing it and will never copy, share, or save it. Instead, it will refer the incident to the DSL and the Head of School. It will also follow the DfE's guidance on responding to pornographic image-sharing in education settings.

**9. Screening pupils.**

Screening is the use of a walk-through or hand-held metal detector to scan all pupils before they enter the school site. The school can require pupils to undergo screening. In implementing this strategy, the school will:

- Consult with your local police, as they may be able to provide advice about whether installing / using these devices is appropriate.
- Inform pupils and parents in advance to explain what it will involve.
- Make sure to make reasonable adjustments to the screening process where a pupil has a disability.

**Annex 1 Prohibited items**

- Knives or weapons
- Alcohol
- Illegal drugs
- Stolen items
- Tobacco and cigarette papers
- Fireworks
- Pornographic images
- Any article that the member of staff reasonably suspects has been, or is likely to be, used to:
    - Commit an offence
    - Cause personal injury (including the pupil) or damage to property

This list is set out in The Education Act 1996 and paragraph 3 of the DfE's guidance on searching, screening and confiscation.

**Other items banned by the school**

In addition to the list above, the Head of School and authorised staff members can also search for other specific items banned in the school.