



**Screening Searching and
Confiscation Procedure**

February 2016

The Head teacher has the authority to nominate staff member to have the statutory power to search.

Banned Items are:

knives or weapons	alcohol	illegal drugs/legal highs
Stolen items	Tobacco/cigarette papers	Fire works
Pornographic images	Smoking paraphernalia eg e-cigarettes/	Drug paraphernalia eg grinders/bongs etc

Also any article that a member of staff reasonably suspects has been, or is likely to be used

- a) To commit an offence
- b) To cause personal injury to, damage to the property of, any person (including student)

Searching with Consent

- School staff can search pupils with their consent for any item
- Searches should be around pockets, bags, lockers, etc
- Pupils refusing to be searched should follow the discipline policy for refusal. (remove/AZE/Exclusion)

Searching without consent

- All banned items can be searched for without consent by a nominated member of staff. (Section 550ZA Education Act 1996)

Searching a student

- Searches must take place by a member of staff who is the same sex as the student. Another member of staff should be there as a witness, preferably of the same sex but note essential.
- Exception to this would be if you have reasonable concern that the student is at **serious risk of harm** and there are no other staff members around.
- The person conducting the search may **not** require the student to remove anything other than outer clothing. 'Outer clothing' means clothing that is NOT worn next to the skin or immediately over a garment that is being worn as underwear.
- Staff should never ask a student to take off trousers, skirts, shirts, blouses etc.
- Intimate searches can only be conducted by the police who have more extensive powers.
- Student's possessions must be searched in the presence of the student and a witness.

The power to seize and confiscate items

- School's General power to discipline set out in Section 91 of the Education and Inspections Act 2006 enables a member of staff to confiscate, retain and dispose of a student's property as a disciplinary penalty, where reasonable to do so.
- Knives, weapons and drugs must be handed over to the police
- Other banned items can be seized, retained and/or disposed.

- Cigarette papers/tobacco and Alcohol can all be disposed of
- Banned items should never be returned to the student
- Pornographic images/stolen items should be dealt with by the Head teacher and advice sought from statutory guidance.

Statutory Guidance on the disposal of controlled drugs

- It is up to the head teacher to decide whether there is 'good reason' to deliver stolen items or drugs to the police.
- Guidance from the Secretary of State on 'Good Reason':
 - **In determining what good reason is for not delivering controlled drugs or stolen items to the police, the Head teacher should take into account all relevant circumstances and use their professional judgement to determine whether they can safely dispose of a seized article.**

Refusal to be searched

- Students refusing to be search may be dealt with as per Behaviour Policy. This may result in a student being excluded for refusal to cooperate.
- The police may be called to search if staff have reasonable suspicion of a dangerous or banned substance may be concealed.
- Parents should be called if the police are requested to support their child and or select an advocate to support the student.

Informing Parents when dealing with Searches.

- School is not required to inform parents if a search has taken place or seek consent to search their child
- There is no legal requirement to make or keep records of a search
- School should involve parents if any of the banned items have been found.