



# Searching, Screening and Confiscating Policy

<b>Date of last review:</b>	2024	<b>Review period:</b>	3 Years
<b>Date of next review:</b>	2027	<b>Written by:</b>	Rebecca Garratt
<b>Type of policy:</b>	Non-statutory	<b>Committee:</b>	FGB

## The “Searching, Screening and Confiscating Guidance for Schools” issued by the Department of Education in July 2022 states that:

*“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. Prohibited items are;*

- *Knives and 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, or to cause personal injury to, or damage the property of, any person (including the pupil).”*

In addition, the guidance goes on to say that:

*“Headteachers and authorised staff can also search for any item banned by the school rules which has been identified in the rules as an item which may be searched for.”*

At Wyre Forest School this prohibited item list is the same as the list above. In addition to this list Wyre Forest School staff are also authorised to search any mobile device that may contain inappropriate images or content.

As a result of this search, this guidance also makes it clear that:

*“School staff can seize any prohibited item found as a result of a search. They can also seize any item, however found, which they consider harmful or detrimental to school discipline.”*

In situations involving mobile technology and inappropriate content staff can seize the device and check the content to ensure pupils are safeguarded. The headteacher can also authorise for content to be removed from a mobile device if this content contravenes the schools’ rules. In situations where items are seized there must be two members of staff present to validate the seizure and at least one of these members of staff must be of the same sex as the pupil searched.

Pupils and staff at Russell House have the same rights to be safeguarded and protected outside of school hours and, as such, staff are permitted to act within the procedures listed in this policy.

- 1. If a member of staff believes a pupil has a prohibited item, they must first ask the pupil to hand it over.**
- 2. If the child refuses to, a member of SLT must be contacted.**

The headteacher or SLT member should:

- 3. Assess how urgent the search is, and consider the risk to other pupils and staff**
- 4. 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**
- 5. Always seek the pupil's cooperation**
- 6. A member of SLT and a member of staff will take the pupil to a suitable area eg: office**
- 7. The pupil must be asked consent for the search – if they say no, a search cannot take place, and parents must be contacted immediately as we have a suspicion of a prohibited item.**
- 8. If the pupil agrees, then they can be searched.**
- 9. Wherever possible staff of the same sex should carry out the search**

**10. The search can be of bags, lockers or the pupil. The pupil must not be asked to remove any clothing other than outer clothing (clothing not worn wholly next to the skin). We will be sensitive to whether a pupil is wearing outer clothing for religious reasons.**

*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.*

*Pupils' possessions can only be searched in the presence of the pupil, except where there is a risk that serious harm will be caused to a person if the search is not conducted immediately.*

## The 'best interests' of the child should be your primary consideration

[Keeping Children Safe in Education](#) (KCSIE) sets out the statutory duty of all staff to make sure that they make decisions in the best interests of the child. This applies to decisions to search pupils and confiscate items.

### **Be vigilant about possible biases affecting your decision to search a pupil**

You should also consider that all pupils have a right to expect a reasonable level of personal privacy, under [Article 8](#) of the European Convention on Human Rights. Any 'interference' with this right by your school must be justified and proportionate.

While you'll only search a pupil if you have good reason to, consider that it could infringe upon their wellbeing and rights in several different ways. For example:

- Loss of privacy when clothes, bags or possessions are searched
- Loss of a sense of security, if they feel they are being monitored and searched without reason
- Impact on a pupil's dignity or reputation if they are searched or suspected of possessing prohibited items

If a staff member suspects a device may contain an indecent image of a child (also known as a nude or semi-nude image), they will:

- Not view the image
- Confiscate the device and report the incident to the Headteacher immediately, who will decide what to do next. The DSL will make the decision in line with the DfE's latest guidance on [screening, searching and confiscation](#) and the UK Council for Internet Safety (UKCIS) guidance on [sharing nudes and semi-nudes: advice for education settings working with children and young people](#)

## Sharing nudes and semi-nudes: how to respond to an incident

An overview for all staff working in education settings in England

UK Council for  
Internet Safety

This document provides a brief overview for frontline staff of how to respond to incidents where nudes and semi-nudes have been shared.

**All** such incidents should be immediately reported to the Designated Safeguarding Lead (DSL) or equivalent and managed in line with your setting's child protection policies.

The DSL or equivalent should refer to the full 2024 guidance from the UK Council for Internet Safety (UKCIS), [Sharing nudes and semi-nudes: advice for education settings working with children and young people](#), for managing incidents.

### What do we mean by sharing nudes and semi-nudes?

In the latest advice for education settings (UKCIS, 2024), this is defined as the sending or posting of nude or semi-nude images, videos or live streams online by young people under the age of 18. Nudes and semi-nudes can be shared online via social media, gaming platforms, chat apps, forums, or involve sharing between devices using offline services. Alternative terms used by children and young people may include 'dick pics' or 'pics'. The motivations for taking and sharing nude and semi-nudes are not always sexually or criminally motivated.

This advice does not apply to adults sharing nudes or semi-nudes of under 18-year olds. This is a form of child sexual abuse and must be referred to the police as a matter of urgency.

### What to do if an incident comes to your attention

**Report it to your Designated Safeguarding Lead (DSL) or equivalent immediately. Your setting's child protection policy should outline codes of practice to be followed.**

- **Never** view, copy, print, share, store or save the imagery yourself, or ask a child to share or download – **this is illegal**.<sup>1</sup>
- If you have already viewed the imagery by accident (e.g. if someone has shown it to you before you could stop them), report this to the DSL (or equivalent) and seek support.
- **Do not** delete the imagery or ask the young person to delete it.
- **Do not** ask the child/children or young person(s) who are involved in the incident to disclose information regarding the imagery. This is the responsibility of the DSL (or equivalent).
- **Do not** share information about the incident with other members of staff, the young person(s) it involves or their, or other, parents and/or carers.
- **Do not** say or do anything to blame or shame any young people involved.
- **Do** explain you need to report it and reassure them that they will receive support and help from the DSL (or equivalent).

---

<sup>1</sup> In exceptional circumstances, it may be necessary for the DSL (or equivalent) only to view the image to safeguard the child or young person. That decision should be based on the professional judgement of the DSL (or equivalent).

Any searching of pupils will be carried out in line with:

- The DfE's latest guidance on [searching, screening and confiscation](#)
- UKCIS guidance on [sharing nudes and semi-nudes: advice for education settings working with children and young people](#)
- Our behaviour policy

Any complaints about searching electronic devices will be dealt with through the school complaints procedure.

## Treat confiscations as a safeguarding issue

Children in possession of drugs, alcohol or weapons should be considered vulnerable and at risk of exploitation. Paragraph 18 of [KCSIE](#) highlights the need 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

**Children in possession of drugs, alcohol or weapons should be considered vulnerable**

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. Our DSL will make an immediate referral if they find evidence that a child is at risk of harm.

## Only police can conduct a strip search

*School staff are **not** allowed to carry out strip searches, including the headteacher and authorised staff. Only police who have been asked to come to the school 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*

**Call the police into school as a last resort**

*Always put the best interest of the child first. This means that before you decide to call the police into school you should first:*

- *Make sure that you've exhausted other approaches*
- *Carefully weigh up the risks to the pupil's mental and physical wellbeing with the need to conduct a search*

### **During a 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 the box above for a definition). 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
- Remember your duty of care at all times
- Your 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 your safeguarding duty, for example by requesting that the appropriate adult leave the room when they talk to the pupil. Make sure that your staff know this.
- Read about the process the police must follow on page 13 of the DfE's searching, screening and confiscation guidance so you understand it and can uphold the best interests of pupils at all times.

### **Support the pupil after the search**

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:

- Consider it a safeguarding matter as well as a police matter
- Involve relevant staff such as the DSL and treat the pupil as potentially vulnerable

If a prohibited item is not found:

- Take a safeguarding approach to supporting the pupil to cope with the experience of being searched
- Consider the wider issues that may have informed the decision to request a search in the first place

## Recording and Reporting:

Where there is suspicion of a prohibited item, or where a search has taken place, it is imperative that this is recorded in full with the reasons for the search and the actual items found. It may be that staff are linking the confiscation of an item to a sanction where this has been related following an incident of challenging behaviour. All instances of the searching of pupils' belongings must be recorded on CPOMS and, in addition, **parents/carers must be informed along with social workers as appropriate.**

### **We record the following on CPOMS;**

- 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
- What follow-up action was taken as a consequence of the search

The following document provides guidance for Senior Leadership as to whether the incident should be reported to the Police:

# WHEN TO CALL THE POLICE

Guidance for schools & colleges

## Follow-up:

It is important that such an incident is not seen in isolation, and that the pupil/s involved are given an opportunity to discuss the procedure with a trusted adult afterwards. This should focus on why the incident occurred, contextualised safeguarding concerns and how to safeguard the pupil in the future.

There may be a need to support and educate the pupil further via targeted PSHCE lessons.