SEARCHING AND CONFISCATION

Based on DfE Advice on Searching, Screening and Confiscation for Head teachers, School Staff and Governing Bodies (January 2018), Running a School Boarding House a Legal Guide (BSA) and current practice.

Revised November 2020.

Teaching staff are authorised in principle to search pupils or their possessions. An individual decision to search will normally be delegated to the Pastoral Deputy Head, but on a trip would be the responsibility of the trip leader.

A pupil can be searched, with his or her agreement, for any item banned under the school rules. Pupils, or their rooms or property may be searched, without consent, where there are reasonable grounds for suspecting the pupil has prohibited items. Prohibited items are: 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 or to cause personal injury to, or damage to the property of, any persons (including the pupil). The school can also search for any item banned by the school rules which has been identified as an item that can be searched for, which includes vaping paraphernalia. The search may only be carried out where the pupil is within the care of the school, for example on school property or on school trips.

Any search should be carried out sensitively to protect the privacy and reputation of the pupil. The member of staff conducting the search should be the same sex as the pupil and another member of staff, ideally also the same sex as the pupil, should be present as a witness. In a boarding house, the Boarding Housemaster/mistress would normally conduct the search. In exceptional circumstances, a search of a pupil of the opposite sex or without a witness present may be carried out, but only where it is reasonably believed that 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.

Pupils should be asked to empty out their pockets. Pupils may only be asked to remove outer clothing (including gloves, hats). Staff can only search outer clothing. Possessions such as bags and lockable spaces must be searched only in the presence of the pupil.

Any banned or prohibited item found as a result of a search or which they consider harmful or detrimental to school discipline will be confiscated. Tobacco and alcohol must be disposed of. Weapons will be handed to the police; other items will be returned to the parent or destroyed. Controlled or illegal drugs will be passed to the police or destroyed, on the advice of the local police. A note of the content of any inappropriate images will be made before they are deleted. Stolen items will be returned to the owner where known; if not, high value items will be handed to the police.

This policy will be reviewed when new legislation is published.