

Guidance on Searching, Screening and Confiscation

Please read the following outline guidance carefully.

Full DfE guidance is available online:

<https://www.gov.uk/government/publications/searching-screening-and-confiscation>

Staff can search a student for any item¹ – **IF THE STUDENT CONSENTS**

What for

- Any item
- Prohibited items banned by the college (including cigarettes, aerosols, lighters/matches, e-cigarettes, energy drinks, legal highs)

Who

- Staff authorised by the Headteacher (SLT, SPLs and On Call only)
- Must have two people present, at least one being the **SAME** gender as the student being searched

When

- When there are reasonable grounds for suspicion

Where

- “Article 8 of the European Convention on Human Rights allows students to expect a reasonable level of personal privacy” and as such all searches will be carried out in an office or similar space.
- The right under Article 8 is not absolute but must be able to be justified as proportionate by the College.

Search WITH CONSENT

College staff can search students **WITH their consent** for any item using the following guidance:

1. Ask a student if they agree to be searched.

2. Students should be asked to turn out their pockets, empty their bags, show their sock tops, waistband and remove their tie.
3. Staff can look into a student's bag or locker if the student agrees.
4. **Staff should not physically touch the student during a search and should avoid going through the pockets/bags of a student.**
5. **You may, with the majority of students, ask if you may touch/check their bag to speed up the process however, discretion as to which students is essential.**
6. Record the search, screening and confiscation in the SSC spreadsheet. (Staffshare – BIC-Files on Confiscation- Search and Confiscation)

Search WITHOUT CONSENT

- If a student refuses to be searched they should remain under direct supervision and the Headteacher should be informed so that an appropriate sanction can be given. Parents/carers should be contacted to attend the college and collect the student and/or support the search.
- Only the Headteacher and authorised staff have the statutory power to search students or their possessions **WITHOUT** consent. This is only in the case of certain prohibited items such as;
 - i) Knives and weapons
 - ii) Alcohol
 - iii) illegal drugs
 - iv) stolen items,
 - v) tobacco
 - vi) cigarette papersⁱⁱ
 - vii) fireworks
 - viii) pornographic images
 - ix) Any article reasonably suspected to be used to commit an offence or cause personal injury or damage to property or person.

Such searches should not be carried out without direct permission from the Headteacher or HST in their absence in order to ensure we follow the recommended guidance.

Use of reasonable force

- Staff can use reasonable force to conduct a search for the above listed items.
- Staff cannot use reasonable force to conduct a search for items banned only by the college rules.

Confiscated Items

DfE advice states “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”.

The Governors' decision is that;

Cigarettes, E-cigarettes, tobacco, lighters/matches, smoking related materials and alcohol should be destroyed and disposed of. Where possible this should be done in view of the student but not disposed of in an area where the items may be retrieved at another time. Any questions then please seek advice.

Banned Itemsⁱⁱⁱ

This list includes but is not limited to;

- E-cigarettes or similar items
- Energy drinks
- Drug related paraphernalia
- Blades / knives
- Aerosols
- Energy Drinks
- Chewing gum
- Loom bands
- Laser pointers or similar such items
- Items giving a small shock
- Items that may be used to cause harm/injury to self or others
- Paper correction fluid (Tip-ex)
- Chains
- Catapults
- Tools (scissors, screwdriver, hammer, nails etc)
- Dangerous chemicals (acids, hair dyes, bleaches, nail varnish remover etc)
- Stink bombs
- Solvents
- Needles (Syringes if required for medical grounds should be kept in accordance with the students own care plan and the colleges' own drugs/medical policy)
- Offensive material - pornographic, racist, homophobic, extremist material (in any medium)
- Rope, cable ties

ⁱ Previously 'banned under the school rules'

ⁱⁱ Newly included 23rd September 2016 by DfE

ⁱⁱⁱ Updated September 2018

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