



Callington Community
College

Searching, Screening and Confiscation Policy

September 2023

Version	Date	Review Date
Originator: Kate Lamb	September 2022	September 2023
Update: Rob Taylor	September 2023	September 2024

This policy has been written in conjunction with the DfE's ['Searching Screening and Confiscation' July 2022](#) and also CCC's Behaviour for Learning Policy 2023.

Aims:

In 'Searching, Screening and Confiscation' July 2022, the DfE states:

"Ensuring school staff and pupils feel safe and secure is vital to establishing calm and supportive environments conducive to learning. Using searching, screening and confiscation powers appropriately is an important way to ensure pupil and staff welfare is protected and helps schools establish an environment where everyone is safe"

This policy aims to:

- Detail the powers a school has to screen, search and confiscate items in order to facilitate a safe, calm and supportive environment in which students can learn;
- Explain when screening, searching or confiscation might be necessary;
- Detail the legal duties and requirements that the school have, and/or should adhere to.

Responsibilities:

It is the responsibility of the:

- **Principal** to ensure that all staff are aware of this policy, and that appropriate training has been provided to support staff. The principal is also responsible for selecting the staff deemed appropriate to carry out screening, searching and confiscation of the items in this policy.
- **Governors**, to take a lead role in monitoring and reviewing this policy.
- **All staff, including: governors, senior leadership, teaching and non-teaching staff**, to support, uphold and implement this policy accordingly.
- **Parents/carers**, to support their children and work in partnership with the school.
- **Pupils**, to abide by the policy.

Definitions:

'Searching' is a visual check of the person or possessions of a student for items or substances that are prohibited in the college, as detailed in the Behaviour for Learning Policy, and as laid out below.

'Screening' is the use of a walk-through or hand-held metal detector (arch or wand) to scan all pupils for weapons before they enter the school premises. This is not currently in action at CCC.

'Confiscation' is the removal of prohibited items from the person or possessions of a student which will not be returned to them during the school day. Detail of what happens to these items after confiscation can be found later in this policy.

Why might searching or screening be carried out?

Any member of staff may become aware of students being in possession of prohibited items. This might be through:

- Seeing the student with the item(s)
- Being informed by the student, another student or another person.
- Seeing or smelling evidence of such item such as smoke or the odour of vapes
- CCTV footage

- Overhearing conversations regarding the use of the items, or the item being shown to other students.

Teachers will always exercise a policy of 'reasonable evidence' before screening, searching or confiscation, and consider other factors before making the decision to search, such as:

- The age, and wellbeing of the student;
- Potential disability or SEND that could affect their reaction to, or understanding of, a search;
- Past history of carrying such items;
- The risk of harm to the pupil and to others;
- The reputation of the school and college community.

The Principal has authorised all **members of the College Leadership and Pastoral teams (including Heads of Year and PSAs)** to search for "prohibited items".

The list of prohibited items is:

- knives and weapons;
- alcohol;
- illegal drugs;
- stolen items;
- 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 property of; any person (including the pupil).
- an article specified in regulations:
- tobacco, cigarette papers, vapes or other related paraphernalia.
- fireworks;
- pornographic images.

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.

What happens in a search?

Before a search begins, the member of staff involved should seek another member of staff to witness the search. Where possible, the member of staff conducting the search should be the same sex as the pupil involved, and a member of staff of opposite gender should also be present.

The member of staff conducting the search should explain to the pupil why a search is deemed necessary, and what they are looking for. They should also seek the cooperation of the student to conduct the search.

If the pupil is not willing to cooperate with the search, the member of staff should consider why this is.

Reasons might include that they:

- are in possession of a prohibited item;
- do not understand the instruction;
- are unaware of what a search may involve; or
- have had a previous distressing experience of being searched.

If a pupil continues to refuse to cooperate, the member of staff may sanction the pupil in line with the school's behaviour policy, ensuring that they are responding to misbehaviour consistently and fairly.

If the member of staff still considers a search to be necessary, but is not required urgently, they should seek the advice of the headteacher, designated safeguarding lead (or deputy) or pastoral member of staff who may have more information about the pupil. During this time the pupil should be supervised and kept away from other pupils. Consideration should be given to contacting Parents/Carers at this stage, this may include asking them to talk to the pupil over the phone or to attend to support if required.

If the pupil still refuses to co-operate, the member of staff should assess whether it is appropriate to use reasonable force to conduct the search. A member of staff can use such force as is reasonable to search for any prohibited items identified in this policy, but not to search for items which are identified only in the school rules. E.g., mobile phones.

The decision to use reasonable force should be made on a case-by-case basis. The member of staff should consider whether conducting the search will prevent the pupil harming themselves or others, damaging property or from causing disorder. It should be noted that the use of reasonable force will differ depending on whether the member of staff is searching possessions or the pupil themselves.

An appropriate location for the search should be found. Where possible, this should be away from other pupils. The search must only take place on the school premises or where the member of staff has lawful control or charge of the pupil, for example on a school trip.

The member of staff conducting the search must be of the same sex as the pupil being searched. There must be another member of staff present as a witness to the search. There is a limited exception to this rule. This is that a member of staff can search a pupil of the opposite sex and/or without a witness present only:

- if the member of staff carrying out the search reasonably believes there is risk that serious harm will be caused to a person if the search is not carried out as a matter of urgency; and
- in the time available, it is not reasonably practicable for the search to be carried out by a member of staff who is same sex as the pupil or it is not reasonably practicable for the search to be carried out in the presence of another member of staff.

When a member of staff conducts a search without a witness, they should immediately report this to another member of staff, and ensure a record of the search is kept.

What can be searched?

A member of staff may search a pupil's outer clothing, pockets, possessions, desks or lockers.

The person conducting the search must not require the pupil to remove any clothing other than outer clothing. 'Outer clothing' means any item of clothing that is not worn wholly next to the skin or immediately over a garment that is being worn as

underwear, as well as hats, shoes, boots or scarves.

'Possessions' means any goods over which the pupil has or appears to have control - this includes desks, lockers and bags. A member of staff is able to search lockers and desks or other personal spaces at the school for any item provided the pupil agrees. The member of staff's power to search outlined above does not enable them to conduct a strip search.

Strip Searches:

A strip search is a search involving the removal of more than outer clothing. Strip searches on school premises can only be carried out by police officers under the Police and Criminal Evidence Act 1984 (PACE) Code A and in accordance with the Police and Criminal Evidence Act 1984 (PACE) Code C. While the decision to undertake the strip search itself and its conduct are police matters, school staff retain a duty of care to the pupil(s) involved and should advocate for pupil wellbeing at all times.

Callington Community College would take the need for a strip search extremely seriously, and would only support it if there was a risk of immediate and serious harm to a pupil or other member of the school community including staff, and if all other measures had been exhausted. We would take utmost measures to ensure parents were informed of this in advance of the strip search being carried out. We would adhere to all the recommendations as laid out in '[Keeping Children Safe in Education](#)' and '[Searching, Screening and Confiscation](#)'.

After a search, and confiscation:

Regardless of whether a prohibited item is found, staff should consider the wellbeing of the student involved, and whether they need further pastoral support.

If a pupil is found in possession of a prohibited item, the school will consider, on a case-by-case basis, the suitable next steps. These could include, but are not limited to:

- Immediate confiscation of the items
- Safeguarding referral
- Suspension from the college
- Permanent exclusion from the college
- Police involvement
- Social care referral

Vaping equipment and smoking paraphernalia will be disposed of without warning. Other articles (if deemed to be of financial or sentimental value) will be labelled and kept for collection by parents or carers only. Students will not be allowed to collect confiscated items. Uncollected items will be disposed of after a term without further notice.

Weapons and knives and extreme/child pornography will always be handed over to the Police, otherwise it is for the school staff to decide if and when to return a confiscated item. We are guided by the advice in '[Searching, Screening and Confiscation](#)'.

Mobile phones can be confiscated by any member of staff at the college if they are seen, or heard, during school time. Failure of students to hand over their device when asked will be sanctioned in line with the school policy for 'refusal to follow staff request'. The student will be informed of the safe space where they will place the mobile device (likely to be the pastoral office, or reception) and the student will be

able to collect at 3pm. If a student continues to be seen with the device during school hours, the college may consider an outright ban of the device, and collection of the device by parents only.

The designated safeguarding lead (or deputy) could be informed of any searching incidents where the member of staff had reasonable grounds to suspect a pupil was in possession of a prohibited item. The staff member should also involve the designated safeguarding lead (or deputy) without delay if they believe that a search has revealed a safeguarding risk. If the designated safeguarding lead (or deputy) finds evidence that any child is at risk of harm, they would follow their normal safeguarding procedures, including consideration of a referral to Children's Social Care and/or seeking advice from the Multi-Agency Referral Unit (MARU).

Record Keeping:

After a search, the staff member conducting the search (or another staff member as delegated at the time) will record the search on CCC's search log on the Google drive. This allows staff to record the details of the search, whether any prohibited item was found, and the actions taken.

Parents will also be informed of the search and the outcome, unless we believe it poses a risk to the pupil to do so. Parents might be informed through any communication channel from the college as soon as is practicable. This will usually take the form of an email or phone call.

Any complaints about searching, screening or confiscation should be dealt with through the normal school complaints procedure.