

Searching, Screening and Confiscation Policy September 2026

Setting: Castle Newnham

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NEXT REVIEW DATE:	
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A. RATIONALE AND AIM

Castle Newnham School aims to provide a safe and secure environment for all students, staff and visitors. If a pupil is suspected of having a prohibited item on themselves or in their bag then there is a need for staff to search and potentially confiscate the item.

Searching can play a critical role in ensuring that schools are safe environments for all pupils and staff. It is a vital measure to safeguard and promote staff and pupil welfare, and to maintain high standards of behaviour through which pupils can learn and thrive.

Staff can request to undertake a search on any student for an item if the staff member believes that the student has a prohibited item, the staff member may seize any prohibited item(s) found as a result of a search and retain the right to carry out screening of students, if necessary.



B. LEGISLATION, STATUTORY REQUIREMENTS & STATUTORY GUIDANCE

This policy is based on legislation and advice from the Department for Education (DfE) on:

- [Behaviour in schools: Advice for Principals and school staff](#)
- [Searching, screening and confiscation: advice for schools](#)
- [Keeping Children Safe in Education](#)
- [Mobile phones in schools guidance](#)
- [Use of reasonable force in schools](#)
- [Special Educational Needs and Disability \(SEND\) Code of Practice](#)
- [Police and Criminal Evidence Act 1984 \(PACE\) Code C.](#)

Headteachers/principals 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 which include but are not limited to:

- Knives or weapons
- Alcohol
- Illegal drugs
- Stolen items
- Tobacco, cigarette papers, vapes and disposable vapes
- 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 person including the student.

Under common law, school staff have the power to search a pupil for any item if the pupil agrees. Staff can therefore also search a pupil or possessions where they have reasonable grounds to suspect that the pupil may have an item banned by the school which includes but is not limited to:

- Lighters or matches
- Paint or markers thought to be linked to graffiti
- Aerosols
- Laser pens or pointers
- Electronic devices including Mobile Phones
- High value items
- Large sums of cash
- Large quantities of confectionary

Under Article 8 of the European Convention on Human Rights pupils have a right to respect for their private life. In the context of these particular powers, this means that pupils have the right to expect a reasonable level of personal privacy.

The right under Article 8 is not absolute, it can be interfered with but any interference with this right by a school (or any public body) must be justified and proportionate.

The powers to search in the Education Act 1996 are compatible with Article 8. A school exercising those powers lawfully should have no difficulty in demonstrating that it has also acted in accordance with Article 8. This advice will assist schools in deciding how to exercise the searching powers in a lawful way.



C. SEARCHING

All school staff are authorised by the Principal to search students or their possessions, without consent, where they have reasonable grounds for suspecting that the student may have a prohibited item. The school is not required to inform parents before a search takes place or to seek their consent to search their child.

A member of staff may search a pupil's outer clothing, pockets, possessions, desks or lockers. The authorised member of staff may use a hand-held metal detector (wand) to assist with the search.

'Possessions' means any goods over which the student has or appears to have control e.g., bags.

Before carrying out a search the authorised member of staff will:

- Assess whether there is an urgent need for a search.
- Assess whether not doing the search would put other pupils or staff at risk.
- Consider whether the search would pose a safeguarding risk to the pupil.
- Explain to the pupil why they are being searched.
- Explain to the pupil what a search will entail.
- Explain how and where the search will be carried out.
- Give the pupil the opportunity to ask questions.
- Seek the pupil's co-operation.

All searches will be carried out away from all other pupils and staff other than those conducting the search, for example in a staff members office or empty classroom.

A student's possessions can only be searched in the presence of the student and another member of staff. The member of staff conducting the search must be of the same sex as the pupil being searched. 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
- if 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.

The power to search without consent enables a personal search, involving removal of outer clothing and searching of pockets. The person conducting the search must not require the student to remove any clothing 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 but outer clothing includes hats, shoes, boots, gloves and scarves.

If the pupil refuses to agree to a search for a prohibited item, the member of staff can give an appropriate negative behaviour consequence as per the school's behaviour policy.

If they still refuse to cooperate, the member of staff will contact a member of SLT/the Principal to try and determine why the pupil is refusing to comply.



Members of staff can use such force as is reasonable (for more information please refer to our positive handling policy) given the circumstances when conducting a search for prohibited items but force cannot be used to search for items banned under the school rules.

The authorised member of staff will then decide whether to use reasonable force to search the pupil. This decision will be made on a case-by-case basis, taking into consideration whether conducting the search will prevent the pupil harming themselves or others, damaging property or from causing disorder. See positive handling policy for more detail.

A member of staff should never undertake a search if he/she thinks there is any risk to their personal safety or that of other staff or students (including the student being searched). In these circumstances a member of staff may call the police to undertake a search. The Principal will be informed if the police are called, along with the parents who will be required to attend school.

In the event the police are contacted to attend school site and conduct a search, parents/guardians must be contacted and be present during the search, the police must give justification to the school and the parent and pupil as to the search they are conducting.



D. STRIP SEARCHES

A strip search is a search involving the removal of more than outer clothing.

No members of school staff, even those authorised to conduct a search as per section C of this policy, are authorised to conduct a strip search.

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.

The decision to undertake a strip search is a police matter and the decision on whether to conduct a strip search lies solely with them. Nevertheless, the school staff retain a duty of care to the pupil(s) involved and will advocate for pupil wellbeing at all times.

School staff will consider whether a strip search through police involvement is absolutely necessary, and ensure that other appropriate, less invasive approaches have been exhausted. School staff will contact parents/carers as soon as reasonably possibly to advise them of the Police's decision and to request their attendance to support the search.

School premises are not an appropriate location for a strip search on a pupil, the school believes that if deemed necessary these should be carried out at a police station, medical premises or home address.



E. AFTER A SEARCH

Parents/carers will always be informed of any search for any item (prohibited or banned). A member of staff will tell the parents/carers as soon as is reasonably practicable:

- What happened.
- What was found, if anything.
- What has been confiscated, if anything.
- What action the school has taken.

All searches for prohibited items, including incidents where no items were found, will be recorded in the school's safeguarding system.

The staff member who carried out the search should inform the designated safeguarding lead without delay:

- Of any incidents where the member of staff had reasonable grounds to suspect a pupil was in possession of a prohibited item
- If they believe that a search has revealed a safeguarding risk

Whether or not any items have been found as a result of any search, the member of staff that conducted the search will consider whether the reasons for the search, the search itself, or the outcome of the search give cause to suspect that the pupil is suffering, or is likely to suffer harm, and/or whether any specific support is needed. Where this may be the case the member of staff will talk to the designated safeguarding lead (or deputy) to consider if pastoral support, an early help intervention or a referral to children's social care is appropriate.

Complaints about a search should be dealt with through the normal procedure – refer to the school's Complaints Policy.



F. CONFISCATION

The school's general power to discipline, as set out in Section 91 of the Education and Inspections Act 2006, enables a member of staff to confiscate, retain or dispose of a student's property as a disciplinary penalty, where reasonable to do so. The law protects members of staff from liability in any proceedings brought against them for any loss of, or damage to, any item they have confiscated, provided they acted lawfully.

An authorised staff member carrying out a search can confiscate any item that they have reasonable grounds for suspecting:

- poses a risk to staff or pupils
- is prohibited, or identified in the school rules for which a search can be made
- is evidence in relation to an offence

Any prohibited item/s found in a pupil's possession as a result of a search will be confiscated. These items will not be returned to the pupil.

The action taken with a confiscated item is dependent upon the item and circumstances. The staff that has confiscated the item will consider:

- whether it is legal for the pupil to have had the item
- the value of the item
- whether the item is banned by the school
- whether retaining or returning the item to the owner may place any person at risk of harm
- whether the item can be disposed of safely

Controlled drugs will be delivered to the police as soon as possible unless there is a "good reason" not to do so in which case the member of staff must safely dispose of the drugs.

When staff are unsure as to the legal status of a substance and have reason to believe it may be a controlled drug, they should treat it as such. If the member of staff is in doubt about the safe disposal of controlled drugs, they should deliver them to the police.

Other substances which are not believed to be controlled should also be delivered to the police, or disposed of as above, if the member of staff believes they could be harmful.

Where staff find stolen items, these must be delivered to the police as soon as reasonably practicable – but may be returned to the owner (or may be retained or disposed of if returning them to their owner is not practicable) if the person thinks that there is a "good reason" to do so.

In determining what is a "good reason" for not delivering controlled drugs or stolen items to the police the member of staff must have regard to the following guidance issued by the Secretary of State:

In determining what is a 'good reason' for not delivering controlled drugs or stolen items to the police, the member of staff should take into account all relevant circumstances and use their professional judgement to determine whether they can safely dispose of a seized article.

It is up to the Principal to decide whether there is a good reason not to deliver stolen items or controlled drugs to the police.



Any weapons or items which are evidence of a suspected offence must be passed to the police as soon as possible.

Items that have been (or are likely to be) used to commit an offence or to cause personal injury or damage to property should be delivered to the police as soon as reasonably practicable, returned to the owner, retained or disposed of.

Where a person conducting a search finds alcohol, vapes, other electronic smoking devices, tobacco, cigarette papers or fireworks, they may retain or dispose of them as they think appropriate but they will not be returned to the pupil.

If a member of staff finds a pornographic image, they may dispose of the image unless they have reasonable grounds to suspect that its possession constitutes a specified offence (i.e. it is extreme or an indecent image of a child) in which case it must be delivered to the police as soon as reasonably practicable. Members of staff should never intentionally view any indecent image of a child (also sometimes known as nude or semi-nude images). Staff must never copy, print, share, store or save such images.

In line with Keeping Children Safe in Education, staff will not view or forward illegal images of a child. If inappropriate material is suspected to be on a pupil's device, staff will not view this material. The Designated Safeguarding Lead will decide the appropriate course of action and whether the suspected material is of such seriousness that it requires the involvement of the police. Any material on the device that is suspected to be evidence relevant to an offence must not be deleted; the device should be given to the police as soon as reasonably possible.

If an item is not prohibited but is banned by the school and/or is determined to be likely to be harmful or detrimental to school systems and routines, the item may be returned to pupils after discussion with senior leaders and parents, if appropriate.

Complaints about how a confiscated item has been managed should be dealt with through the normal procedure – refer to the school's Complaints Policy



G. ELECTRONIC DEVICES

For the purposes of this policy, electronic devices are defined as a device that enables access to or use of an electronic communication service, remote computing service, or location information service. Examples of electronic devices are, but not limited to:

- Mobile phones
- Smart watches
- Chromebooks
- Tablets

Where a search reveals an electronic device, staff may examine any data or files on the device if they think there is a “good reason” to do so.

In determining whether there is a “good reason” to examine the data or files, the member of staff should reasonably suspect that the data or file on the device has been, or could be used, to cause harm, undermine the safe environment of the school and disrupt teaching, or be used to commit an offence.

Following an examination, if the member of staff has decided to return the device to the student, or to retain or dispose of it, they may erase any data or files, if they think there is a “good reason” to do so.

In determining whether there is a “good reason” to erase any data or files from the device, the member of staff should consider whether the material found may constitute evidence relating to a suspected offence. In those instances, the data or files should not be deleted, and the device must be handed to the police as soon as it is reasonably practicable. If the data or files are not suspected to be evidence in relation to an offence, a member of staff may delete the data or files if the continued existence of the data or file is likely to continue to cause harm to any person and the pupil and/or the parent refuses to delete the data or files themselves.

The viewing of inappropriate material must only be done by a member of staff with a witness and recorded on the school’s safeguarding system.

All incidents of viewed material which is illegal (e.g. images of children or illegal pornography) must be reported to the Principal and delivered to the police as soon as reasonably possible – see section F for further detail.

Members of staff should only watch illegal material once.



H. SCREENING

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.

Castle Newnham School does not routinely require students to undergo screening but retain the right to carry this out if necessary. Examples of when it may be necessary include but are not limited to:

- Entry to a GCSE exam to confirm no mobile phones enter the exam room
- A class or year group to confirm all mobile phones are in pouches
- A class or year group following a credible report of an item such as a vape

Staff can require students to undergo screening by a wand even if they do not suspect them of having a weapon and without the consent of the students.

Any member of staff can screen students.

Screening can help provide reassurance to pupils, staff and parents that the school is taking measures to create a calm, safe and supportive environment. Schools' statutory power to make rules on pupil behaviour and their duties as employers in relation to the safety of staff, pupils and visitors enables them to impose a requirement that pupils undergo screening. If a student refuses to be screened, the school may refuse to have the student on the premises.

Health and safety legislation requires a school to be managed in a way which does not expose students or staff to risks to their health and safety and this would include making reasonable rules as a condition of admittance.

If a pupil refuses to be screened, the member of staff will consider why the pupil is not co-operating, and make an assessment of whether it is necessary to carry out a search and issue a sanction as per section C of this policy.



F. LINKS TO OTHER POLICIES

School staff can view CCTV footage, if available, in order to make a decision as to whether to conduct a search for an item. Refer to the school's CCTV Policy.

- Positive handling policy
- Data Protection Policy
- CCTV Policy
- Drugs & Alcohol Policy
- Behaviour Policy
- Complaints Policy
- Safeguarding Policy