

Searches and Confiscation Policy

NB: This is also included within the Drugs policy

At Abbotsholme, trust and respect is a core foundation underpinning the school's philosophy. Therefore we would hope the need to conduct a search on whatever basis would be a rare one. Sadly, there will be occasions when there is a need to search a room, belongings, bag or a person where there is a reason to believe that the pupil has prohibited items (please see below) or items which infringe the school rules, or potentially, the law of the land. Police may be contacted.

Pupils have a right to respect for their private life. Any search carried out must be justified and proportionate and take into account the pupil's human rights under article 8 of ECHR.

This policy takes note of the DfE's guidance *Screening, Searching and Confiscation (February 2014)*. The key points in relation to conducting a search are below:

- School staff can search a pupil for any item if the pupil agrees. This can include, for example, looking in the pupil's bag and locker and requesting that they turn out their pockets. There is no requirement for the pupil to give a formal written consent for this. It is enough that a request is made and acceded to.
- 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 Headmaster and staff have a statutory power to search pupils or their possessions, without consent, where they have reasonable grounds for suspecting that the pupil may have a prohibited item. These items are:
 - Knives or weapons
 - Alcohol
 - Illegal drugs
 - Any substances intended to resemble drugs, legal drugs, performance enhancing drugs, anabolic steroids, glue or any other substance held for purposes of misuse
 - 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 person

Procedure for carrying out a search

A search should always be carried out with a second adult witness. A search should ideally be carried out with the pupil's consent and in most cases the pupil will be present. If a pupil refuses to give consent, parents' permission may be sought. A search without consent may be carried out for knives, weapons, alcohol, illegal drugs, tobacco, fireworks and pornographic images. It should also be noted that searches do not require the consent of the pupil or their parent when this concerns illegal items or when there is a reason to believe that there may

be harmful images stored on an electronic device. A written record of all searches should be made. Parents should always be informed after a search has taken place.

Confiscation

School staff may confiscate any prohibited item or any item which is considered harmful to school discipline. An example may be a laptop or mobile phone which a pupil uses in an inappropriate way during school hours. Any item confiscated should be kept safe and the details of the confiscation logged. An indication should be given at the time of confiscation when the item is likely to be returned. Illegal items will not be returned.

Reviewed January 2018