

# St Patrick's RC High School



## SEARCHING, SCREENING AND CONFISCATION POLICY

**Date of Review:** Spring 2023 - 2024

**Prepared By:** Mr M Connelly

**Delegated Committee:** Pupil Welfare

**Next review:** Spring 2025 - 2026

**Not statutory**

**Signed:** ..... (Headteacher)

## **School Mission Statement**

Our outstanding school community is guided by the gospel values of; love, forgiveness, reconciliation, justice, integrity, humility and truth. Faith and worship are lived, taught and celebrated. We recognise the importance of service to others and the opportunity to be witnesses to Christ in our community.

All are unique and strive for personal growth. We celebrate the pursuit of academic excellence, applaud ambition and value the achievements of all. Our pupils are expected to achieve their best and use their learning to make a difference in the world they live in.

## **School British Values Statement**

St Patrick's teachers uphold public trust in the profession and maintain high standards of ethics and behaviour. Teachers do this by not undermining fundamental British values and ensuring that personal beliefs are not expressed in ways which exploit pupils' vulnerability or might lead them to break the law.

This policy is in line with the Mission and values of St Patrick's R.C. High School. A successful behaviour policy requires the commitment and consistency of practice of all staff to ensure that learners know the standards expected of them. All members of the school are expected to help maintain an atmosphere conducive to learning, with courtesy and mutual respect as basic requirements.

St Patricks RC High School fully recognises the responsibility it has under section 157 of the Education Act 2002 to have arrangements in place to safeguard and promote the welfare of children. This policy is written based on the advice and guidance outlined by the DFE's Advice for Schools 2022: Searching, Screening and Confiscation July 2022

[Searching, Screening and Confiscation \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/106422/Advice_for_schools_2022_Searching_screening_and_confiscation.pdf)

This policy is a whole school policy which aims to provide a clear transparent policy that will allow members of staff, volunteers and pupils to understand roles & responsibilities around search and confiscation.

This policy applies to all staff, volunteers and contractors, paid and unpaid, working in the school including governors and all pupils including those in the EYFS. Care and consideration will be given to the age of the child when following the guidance in this policy

The school acknowledges its legal duty to make reasonable adjustments for disabled children and children with special educational needs (SEN). Equality Act 2010

## **Prohibited items**

These are:

- Knives or weapons
- Alcohol
- Illegal drugs
- Stolen items
- Tobacco and cigarette papers

- Fireworks
- Pornographic images
- Any article a staff member 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 pupil)

In addition to the above the Headteacher of St Patricks RC High School specifies these additional prohibited items below that are specified in the School's Behaviour Policy

- Illegal drug paraphernalia
- Vaping and Electronic Cigarettes
- Fizzy and High energy drinks
- Confectionary in large quantities where there is a suspicion a pupil may be selling to their peers
- A mobile phone (should a pupil be seen with a mobile phone on School premises and refuses to hand it over to a member of staff)
- Other items which can be considered a weapon ie bladed instruments and sharp tools
- Laser pens/pointers
- Aerosols
- Jewellery including earrings, piercings, bracelets, rings and necklaces

### Confiscation

Any prohibited items found in a pupil's possession as a result of a search will be confiscated. These items will not be returned to the pupil. Some specific items in the prohibited list will also be handed over to the Police

We will also confiscate any item that is harmful or detrimental to school discipline. These items will be returned to pupils after discussion with senior leaders and parents, if appropriate.

### Searching a pupil

Searches will only be carried out by a member of staff who has been authorised to do so by the headteacher, or by the headteacher themselves. **Please see appendix 1 for a list of staff who are authorised to lead a search of a pupil.**

Subject to the exception below, the authorised member of staff carrying out the search will be of the same sex as the pupil, and there will be another member of staff present as a witness to the search.

An authorised member of staff of a different sex to the pupil can carry out a search without another member of staff as a witness if:

- The authorised 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 the 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 an authorised member of staff conducts a search without a witness they should immediately report this to another member of staff, and ensure a written record of the search is kept.

If the authorised member of staff considers a search to be necessary, but is not required urgently, they will 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 will be supervised and kept away from other pupils.

A search can be carried out if the authorised member of staff has reasonable grounds for suspecting that the pupil is in possession of a prohibited item or any item identified in the school rules for which a search can be made, or if the pupil has agreed.

An appropriate location for the search will be found. Where possible, this will be away from other pupils. The search will 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.

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 entails – e.g. I will ask you to turn out your pockets and remove your scarf
- Explain how and where the search will be carried out
- Give the pupil the opportunity to ask questions
- Seek the pupil's co-operation (CONSENT)

If the pupil refuses to agree to a search, the member of staff can give an appropriate behaviour sanction.

If they still refuse to co-operate, the member of staff will contact the Designated Safeguarding Lead: Mr D Macafee or the Senior Assistant Headteacher; Mr M Connolly to try and determine why the pupil is refusing to comply. Should the staff members conducting the initial search be the Designated Safeguarding Lead or Senior Assistant Headteacher and a pupil refuses to agree with a search then the Headteacher will try and determine why the pupils is refusing to comply.

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.

The authorised member of staff can use reasonable force to search for any prohibited items identified in, but not to search for items that are only identified in the school rules.

The authorised member of staff may use a metal detector to assist with the search.

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

Outer clothing includes:

- Any item of clothing that is not worn immediately over a garment that is being worn wholly next to the skin or being worn as underwear (e.g. a jumper or jacket being worn over a t-shirt)
- Hats, scarves, gloves, shoes, boots

### **Off-Site Searches (School Trips and Residential)**

If a search has to be conducted “Off-site” for example a School Trip or a Residential and a member of staff named as authorised in appendix 1 is not on the trip, then the Designated Safeguarding Lead will ensure that a member/s of staff on the trip (or residential) have received the same level of training as an authorised member of staff. Therefore, the Headteacher authorises these “unnamed” members of staff to conduct a search with exactly the same level of knowledge as those named as authorised. As every trip is different with different members of staff it would not be practical to modify the policy every time a new trip/residential occurs and add additional “authorised” staff.

### **Searching pupils’ possessions**

Possessions means any items that the pupil has or appears to have control of, including:

- Desks
- Lockers
- Bags

A pupil’s possessions can be searched for any item if the pupil agrees to the search. If the pupil does not agree to the search, staff can still carry out a search for prohibited items and items identified in the school rules.

An authorised member of staff can search a pupil’s possessions when the pupil and another member of staff are present.

If there is a serious risk of harm if the search is not conducted immediately, or it is not reasonably practicable to summon another member of staff, the search can be carried out by a single authorised member of staff.

### **Informing the designated safeguarding lead (DSL)**

The staff member who carried out the search should inform the DSL 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

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

### **Informing parents**

Parents will always be informed of any search for a prohibited item. A member of staff will tell the parents 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, including any sanctions that have been applied to their child

## **Support after a search**

Irrespective of whether any items are found as the result of any search, the school will consider whether the pupil may be suffering or likely to suffer harm and whether any specific support is needed (due to the reasons for the search, the search itself, or the outcome of the search).

If this is the case, staff will follow the school's safeguarding policy and speak to the designated safeguarding lead (DSL). The DSL will consider if pastoral support, an early help intervention or a referral to children's social care is appropriate.

## **Strip searches**

The authorised member of staff's power to search outlined above does not enable them to conduct a strip search (removing more than the outer clothing) and strip searches on school premises shall only be carried out by police officers in accordance with the [Police and Criminal Evidence Act 1984 \(PACE\) Code C](#).

Before calling the police into school, staff will assess and balance the risk of a potential strip search on the pupil's mental and physical wellbeing and the risk of not recovering the suspected item.

Staff will consider whether introducing the potential for a strip search through police involvement is absolutely necessary, and will always ensure that other appropriate, less invasive approaches have been exhausted first.

Once the police are on school premises, the decision on whether to conduct a strip search lies solely with them. The school will advocate for the safety and wellbeing of the pupil(s) involved. Staff retain a duty of care to the pupil involved and should advocate for pupil wellbeing at all times.

## **Communication and record-keeping**

Where reasonably possible and unless there is an immediate risk of harm, staff will contact at least 1 of the pupil's parents to inform them that the police are going to strip search the pupil before strip search takes place, and ask them if they would like to come into school to act as the pupil's appropriate adult. If the school can't get in touch with the parents, or they aren't able to come into school to act as the appropriate adult, a member of staff can act as the appropriate adult (see below for the role of the appropriate adult).

The pupil's parents will always be informed by a staff member once a strip search has taken place. The school will keep records of strip searches that have been conducted on school premises, and monitor them for any trends that emerge.

## **Who will be present**

For any strip search that involves exposure of intimate body parts, there will be at least 2 people present other than the pupil, except in urgent cases where there is risk of serious harm to the pupil or others.

One of these must be the appropriate adult, except if:

- The pupil explicitly states in the presence of an appropriate adult that they do not want an appropriate adult to be present during the search, **and**
- The appropriate adult agrees

If this is the case, a record will be made of the pupil's decision and it will be signed by the appropriate adult.

No more than 2 people other than the pupil and appropriate adult will be present, except in the most exceptional circumstances.

The appropriate adult will:

- Act to safeguard the rights, entitlement and welfare of the pupil
- Not be a police officer or otherwise associated with the police
- Not be the headteacher
- Be of the same sex as the pupil, unless the pupil specifically requests an adult who is not of the same sex

Except for an appropriate adult of a different sex if the pupil specifically requests it, no one of a different sex will be permitted to be present and the search will not be carried out anywhere where the pupil could be seen by anyone else.

### **Care after a strip search**

After any strip search, the pupil will be given appropriate support, irrespective of whether any suspected item is found. The pupil will also be given the opportunity to express their views about the strip search and the events surrounding it.

As with other searches, the school will consider whether the pupil may be suffering or likely to suffer harm and whether any further specific support is needed (due to the reasons for the search, the search itself, or the outcome of the search).

Staff will follow the school's safeguarding policy and speak to the designated safeguarding lead (DSL). The DSL will consider if, in addition to pastoral support, an early help intervention or a referral to children's social care is appropriate.

Any pupil(s) who have been strip searched more than once and/or groups of pupils who may be more likely to be subject to strip searching will be given particular consideration, and staff will consider any preventative approaches that can be taken.

### **Screening**

St Patricks RC High School does not currently use equipment such as metal detector wands or arches to screen pupils or when conducting searches. However, the Headteacher reserves the right to introduce these measures at a later date should they feel it is necessary to ensure the health and safety of staff and other students is not compromised and legislation is complied with.

If and when screening is introduced this will be authorised by the Governing body, communicated to parents/carers, pupils and staff members and the policy will be amended to reflect these changes.

### **Other policies linked:**

- Use of Reasonable force
- Behaviour for Learning Policy

**Appendix 1: Authorised members of staff and what they can search for**

| Staff Name           | Role                                       | What they can search for? |
|----------------------|--|---------------------------|
| Mrs Alison Byrne     | Headteacher                                | All prohibited items      |
| Ms Gráinne O'Hagan   | Deputy Headteacher                         | All prohibited items      |
| Mr Michael Connelly  | Senior Assistant Headteacher               | All prohibited items      |
| Mr Dan Macafee       | Assistant Headteacher and DSL              | All prohibited items      |
| Mr Luan Barrie       | SLT –SEND and Inclusion                    | All prohibited items      |
| Mrs Linda Gardiner   | Associate Pastoral Director and Deputy DSL | All prohibited items      |
| Mrs Sarah Jones      | Assistant Headteacher                      | All prohibited items      |
| Mr Keith Hall        | Assistant Headteacher                      | All prohibited items      |
| Mrs Kate Billington  | Assistant Headteacher                      | All prohibited items      |
| Mrs Sarah Procter    | Assistant Headteacher                      | All prohibited items      |
| Mr Nick Elliot       | Head of Year                               | All prohibited items      |
| Mr Dominic Hindmarch | Head of Year                               | All prohibited items      |
| Miss Caitlin Hogan   | Head of Year                               | All prohibited items      |
| Mrs Leanne Millar    | Head of Year                               | All prohibited items      |
| Mr Sam Ingram        | Head of Year                               | All prohibited items      |
| Mrs Laura Browne     | Pastoral Lead                              | All prohibited items      |
| Mrs Leah Austin      | Pastoral Lead                              | All prohibited items      |
| Mrs Lindsay Corry    | Pastoral Lead                              | All prohibited items      |
| Mrs C Bradford       | Assistant to SENDCo                        | All prohibited items      |