



# Tibshelf Community School

## Searching and Confiscation (Tibshelf Policy)

Policy Status	Date	Chair of Committee	Minute No:
Approved by Curriculum	22/05/2019	Justin Hawley	CC/05.19-07

Review Period: 1 Year



## Searching, Screening and Confiscation Policy

Please read the following outline guidance carefully.

Full DfE guidance is available online:

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

Staff authorised by the Headteacher can search a student for any item if the student consents.

### What for

- Any item.
- Prohibited items banned by the school (including but not exclusive to cigarettes, e-cigarettes, lighters/matches, energy drinks, legal highs).

### Who

- Staff authorised by the Headteacher: these are members of the Senior Leadership Team and staff on-call only.
- Authorised staff must have a second member of staff present.

### 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 School.

### Search WITH CONSENT

Senior Leadership staff and on-call 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 shoes and tie.

3. The Senior Leader should ask to touch/check their bag, coat and blazer to speed up the process however, discretion as to which students is essential.
4. Record the search as a neutral behaviour on progress.

### **Search WITHOUT CONSENT**

- If a student refuses to be searched they should remain under direct supervision whilst parents/carers are contacted to attend the school and either collect the student and/or support the search. Appropriate sanctions will be issued under the Behaviour Policy for refusal to search.
- Only the Headteacher and the Senior Leaders 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 papers 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. These searches should only be carried out if the Headteacher and/or Senior Leader feels safe and secure in doing so.

Without consent searches should not be carried out without direct permission from the Headteacher.

### **Use of reasonable force**

- Authorised 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 school 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 or alternatively passed to the police for testing and investigation. 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.

### **Banned Items**

This list includes but is not limited to;

- E-cigarettes or similar items
- Energy drinks

- Drug related paraphernalia
- Blades / knives
- Chewing gum
- Laser pointers or similar such items
- Items giving a small shock
- Items that may be used to cause harm/injury to self or others
- Chains
- Catapults
- Tools (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

This policy should be read in conjunction with the Safeguarding Policy, Behaviour Policy, Physical Interventions Policy and Self Harm Policy along with the DFE guidance on Searching, screening and confiscation (January 2018) which has informed this policy.