



**St. Cuthbert's**  
Roman Catholic High School

# WHOLE SCHOOL POLICY

## SCREENING AND SEARCHING A PUPIL



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**St. Cuthbert's**  
Roman Catholic High School

Policy: Screening and Searching A Pupil		
Type: Statutory	Website: No	Author: CM Hunt
Approved: Updated January 2018		Next Review: November 2018
Frequency: Annual		Delegated: Committee
Notes:		

## Searching Pupils

In line with the Searching, Screening and Confiscation Advice for Headteachers, School Staff and Governing Bodies January 2018, St Cuthbert's RC High School staff have a right to search pupils for any item banned by the school, if the student agrees. This may include items such as tobacco and cigarette papers, alcohol, fireworks, pornography, knives or stolen items.

The Headteacher, and staff authorised by the Headteacher, have a statutory power to search pupils or their possessions, without consent, where they suspect the student has certain prohibited items. The items that can be searched for under this power are knives or weapons, alcohol, illegal drugs and stolen items.

School staff will seize any banned or prohibited item(s) found as a result of a search or which they consider harmful or detrimental to school discipline. Weapons and illegal drugs will be passed immediately to the Police.

Where a search is undertaken without the consent of the student this will, where possible, be undertaken by a member of staff of the same sex as the student and with a witness who is also the same sex. In order for such a search to be undertaken the school must be satisfied that there are reasonable grounds for suspicion. A student that refuses to co-operate with a search will be treated as any other student who refuses to comply with the school discipline policy and a sanction will be imposed. Items bought into school with the intention to sell will be confiscated and disposed of.

**The Headteacher reserves the right to screen pupils as appropriate and congruent with the DFE searching, screening and confiscation advice updated January 2018.**

### Extent of the search – clothes, possessions, desks and lockers

#### What the law says:

- The person conducting the search may not require the pupil 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.
- 'Possessions' means any goods over which the pupil has or appears to have control – this includes desks, lockers and bags.
- A pupil's possessions can only be searched in the presence of the pupil and another member of staff.

The power to search without consent enables a personal search, involving removal of outer clothing and searching of pockets; but not an intimate search going further than that, which only a person with more extensive powers (e.g. a police officer) can do.

## Confiscation

Staff have the right to confiscate any item which is not allowed to be used or worn in school this includes:

- Non uniform items of clothing which are being worn in school
- Jewellery or other types of accessories
- Electronic equipment which is being used

- Mobile phones which are being used

**This list is illustrative, not exhaustive.**

Once the member of staff has confiscated the item in question they must enclose it in a sealed envelope available from reception and complete the required details on the envelope so that the item is returned to the correct pupil. If the item in question is clothing and cannot be placed in an envelope it must still be handed in to the Pastoral Office and the relevant details provided. Pupils will be able to collect back any of the above confiscated items at the end of the school day.

Pupils who refuse to hand over any items requested by staff will be considered to be outright defiant and staff should use On Call. The pupil will be placed in the isolation unit and the item confiscated and only returned at the end of the following day.

Banned and / or illegal items confiscated will not be returned to pupils as detailed below.

A person carrying out a search can seize anything they have reasonable grounds for suspecting is a prohibited item or is evidence in relation to an offence.

- Where a person conducting a search finds alcohol, they may retain or dispose of it. This means that schools can dispose of alcohol as they think appropriate but this should not include returning it to the pupil.
- Where they find controlled drugs, these must be delivered to the police as soon as possible but may be disposed of if the person thinks there is a good reason to do so.
- Where they find other substances which are not believed to be controlled drugs these can be confiscated where a teacher believes them to be harmful or detrimental to good order and discipline. This would include, for example, so called 'legal highs'. Where staff suspect a substance may be controlled they should treat them as controlled drugs as outlined above.
- Where they 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.
- Where a member of staff finds tobacco or cigarette papers they may retain or dispose of them. As with alcohol, this means that schools can dispose of tobacco or cigarette papers as they think appropriate but this should not include returning them to the pupil.
- Fireworks found as a result of a search may be retained or disposed of but should not be returned to the pupil.
- If a member of staff finds a pornographic image, they may dispose of the image unless its possession constitutes a specified offence (i.e. it is extreme or child pornography) in which case it must be delivered to the police as soon as reasonably practicable. Images found on a mobile phone or other electronic device can be deleted unless it is necessary to pass them to the police.

- Where an article that has been (or could be) used to commit an offence or to cause personal injury or damage to property is found it may be delivered to the police or returned to the owner. It may also be retained or disposed of.
- Where a member of staff finds an item which is banned under the school rules they should take into account all relevant circumstances and use their professional judgement to decide whether to return it to its owner, retain it or dispose of it.
- Any weapons or items which are evidence of an offence must be passed to the police as soon as possible.