**Searching and Confiscation at PTM – Appendix 7**

Ensuring school staff and pupils feel safe and secure is vital to establishing calm and supportive environments conducive to learning. Using searching, screening and confiscation powers appropriately is an important way to ensure pupil and staff welfare is protected and helps schools establish an environment where everyone is safe.

At PTM we follow all DfE guidance concerning searching, screening and confiscation in school <https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1091132/Searching__Screening_and_Confiscation_guidance_July_2022.pdf>

Searching

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.

The Headteacher 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 or any other item that the school rules outline as prohibited.

Prohibited items at PTM include:

• knives and weapons;

Lighters and matches;

• alcohol;

• illegal drugs;

• stolen items;

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 property of; any person (including the pupil).

• tobacco and cigarette papers;

• fireworks; and

• pornographic images.

Any item that is not conducive to the school expectations for learning and detrimental to maintaining high standards of behaviour and a safe environment:

* Mobile phones (if a pupil needs to bring in their mobile phone, the pupils parent must be aware, and they must hand into the office or class teacher at the start of the school day for it to be returned at the end of the school day)
* Smart watches

Under common law, school staff have the power to search a pupil for any item if

the pupil agrees. The member of staff should ensure the pupil understands the reason for

the search and how it will be conducted so that their agreement is informed.

Being in possession of a prohibited item – especially knives, weapons, illegal drugs or stolen items – may mean that the pupil is involved, or at risk of being involved, in anti-social or criminal behaviour including gang involvement, and in some cases may be involved in child criminal exploitation. A search may play a vital role in identifying pupils who may benefit from early help or a referral to the local authority children’s social care services. See ‘Keeping children safe in education’ and ‘Working together to safeguard children’.

In all cases of searching a pupil, the school shall consider the age and needs of pupils being searched or screened. This includes the individual needs or learning difficulties of pupils with Special Educational Needs (SEN) and making reasonable adjustments that may be required where a pupil has a disability.

Only the headteacher, or a member of staff authorised by the headteacher, can carry out a search. The headteacher can authorise individual members of staff to search for specific items, or all items set out in the school's behaviour policy.

Both the Safeguarding Lead (or deputy) and the Behaviour Lead shall be notified of any and all searches carried out. If the DSL (or deputy) finds evidence that any child is at risk of harm, social care shall be notified immediately and assess against wider safeguarding concerns.

Recording and informing parents

The DSL, or deputy, shall record the search following the schools CPOMs system.

Record of each search will include:

• the date, time and location of the search;

• which pupil was searched;

• who conducted the search and any other adults or pupils present;

• what was being searched for;

• the reason for searching;

• what items, if any, were found; and

• what follow-up action was taken as a consequence of the search.

Parents shall be made aware of any search that has taken place for prohibited items and those made for items banned by the school, and the outcome of this as soon as practicable.

Confiscation

Confiscation from search

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.

Confiscation of banned items

All members of staff have the right to confiscate items that are not conducive to the school expectations for learning and detrimental to maintaining high standards of behaviour and a safe environment.

This can include:

* Any item that the child is fiddling with or distracting others with e.g. watches, fidgets, pencil cases etc
* Any items of value
* Any items outlined in other school policies e.g. bracelets, necklaces

The member of staff should take into account all relevant circumstances and use their professional judgement to determine whether they can safely dispose of the seized item if appropriate i.e. low value school items.

In taking into account all relevant circumstances, the member of staff should consider:

* the value of the item;
* If the police will need the item for investigation purposes and therefore be handed over;
* whether it is appropriate to return the item to the pupil or parent; and
* whether the item is likely to continue to disrupt learning or the calm, safe and supportive environment of the school.

Schools’ general power to discipline enables a member of staff to confiscate, retain or dispose of a pupil’s property as a disciplinary penalty, where reasonable to do so.