Lawford CE Primary School
Search and Screening Policy

Approved by FGB Autumn 2019
Last review: December 2025
Next review December 2026

1. Background

1.1 This policy is based on the Department for Education advice for headteachers, school staff and governing bodies 'Searching, screening and confiscation' DfE January 2018.

2. Objectives of this policy

2.1 To outline the policy and legal powers the school has for screening and searching pupils. It also outlines the powers the school has to seize and then confiscate items found during a search. Searching School staff can search any pupil for any item if the pupil agrees. The Headteacher, Deputy Head or other member of the Leadership Team 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. Prohibited items are:

- Knives or weapons
- Alcohol
- Illegal drugs
- 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 the property of, any person (including the pupil).
- The headteacher and authorised staff can also search for any item banned by the school rules, which has been identified as an item, which may be searched for.

3. Searching with consent

3.1 Headteachers and School staff authorised by the headteacher can search pupils with their consent for any item (such as asking the pupils to turn out his or her pockets or if the teacher can look in a pupils' bag or locker and for the pupil to agree). Formal written consent is not required from the pupil. The staff member is to ensure that the pupil understands the reason for the search and how it will be conducted so that their agreement is informed. Reasonable adjustments are to be made where the child has a learning disability and that they are appropriate to the age of the child.

3.2 Searches can only be carried out on the school premises or, if elsewhere, where the member of staff has lawful control or charge of the pupils, for example, on school trips. Searches should, where possible, occur away from the other children. The behaviour policy, shared with children and parents, clearly states any items which are banned. If a member of staff suspects a pupil has a banned item in his/her bag and if the pupil refuses, the member of staff can apply an appropriate sanction (and notify the Headteacher) as set out in the school's behaviour policy.

4. Searching without consent

4.1 The headteacher or a member of staff authorised by the headteacher can search without consent of child or their parent/ carer if they have reasonable grounds for suspecting a child is in possession of an item on the prohibited list. The authorised member of staff will weigh up the probability of harm occurring to the child or others if a search is not conducted straight away. If it is considered necessary, but not urgent then the headteacher /DSL should be consulted. During this time, the pupil is to be kept separate from the other children. Staff will endeavour to make sure the child has understood the reasons for the search and outlined any consequences that are listed in the behaviour policy. Reasonable force should only be used to conduct a search where the risk of harm in not searching outweighs any harm as a result of forcibly searched.

4.2 The searching member of staff must be the same sex as the pupil being searched; and there must be a witness (also a member of staff) and, if at all possible, they should be the same sex as the pupil being searched. If it is believed that the child is at risk of serious harm if they are not searched immediately, then the search can be conducted on a child of the opposite sex and with or without a witness.

5. During the search

5.1 The law states:

- The person conducting the search may not request the pupils to remove clothing other than outer clothing (i.e. any item of clothing that is not worn next to the skin/ or underwear) and hats, gloves shoes boots or scarves. Sensitivity about removal of outer clothing of religious significance is required.
- A pupil's possessions can only be searched in the presence of the pupil and another member of staff, except where there is a risk that serious harm will be cause to a person if the search is not conducted immediately and where it is not reasonably practicable to summon another member of staff.
- It does NOT enable or allow an intimate search going further than that, which only a person with more extensive powers (e.g. police officer) can do. Before involving the police, which may result in a strip search, the school will consider the risk to the child's physical and mental wellbeing balanced against any probable harm from not recovering the prohibited item. Once the police are on site the requirement for a strip search fall to them to decide and the school will advocate for the child and act as an appropriate adult.
- Members of staff can use such force as is reasonable given the circumstances when conducting a search for knives or weapons, alcohol, illegal drugs, stolen items, tobacco and cigarette papers, fireworks, pornographic images or articles that have been or could be used to commit an offence or cause harm. Such force cannot be used to search for items banned under the school rules.

6. After the search

6.1 Senior leaders can use their discretion to confiscate, retain or to destroy any item found so long as it is reasonable in the circumstances. Any offensive weapon, controlled drugs, stolen items (unless low value e.g. pencil cases), pornographic images that are a specified offence (i.e. Extreme or child pornography) must be passed to the police.

6.2 The school will inform the individual pupil's parents or guardians where a search has taken place, whether it has been for a prohibited or banned item and state what if anything has been confiscated and any resulting actions/sanctions.

6.3 Complaints about searching, screening or confiscation should follow our complaints policy.

7. Recording searches

7.1 Any search for a prohibited item as list above and all searches conducted by the police must be recorded in line with government guidance. The school will also record any searches for banned items (as listed in the behaviour policy). CPOMS will be used to record all searches including whether or not an item was found. The following information will be recorded:

- The date time and location of the search;
- Who conducted the search and any other adults and 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 because of the search.

8. Screening

8.1 Schools can require pupils to undergo screening by a walk-through or hand-held metal detector. We do not have such devices. The advice will be kept under review and updated as necessary.

9. Confiscation

9.1 An authorised member of staff (headteacher, deputy headteacher, SENCo or KS1/EYFS leader) 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; or
- is evidence in relation to an offence.

9.2 Prohibited or illegal items

9.2.1 Controlled drugs must be delivered to the police as soon as possible unless there is a good reason not to do so. Other substances which are not believed to be controlled will also be delivered to the police, if the member of staff believes they could be harmful. Where a staff member conducting a search finds alcohol, tobacco, cigarette papers or fireworks, they will dispose of them as they think appropriate but will not return them to the pupil.

9.2.2 If a member of staff finds a pornographic image, it will be delivered to the police as soon as reasonably practicable. Members of staff must not intentionally view any indecent image of a child (also sometimes known as nude or semi-nude images). This is a criminal offence. If they are told by a child that an image is pornographic, they will not look at it, but refer it directly to the police.

9.2.3 Where a member of staff finds stolen items, these must be delivered to the police as soon as reasonably practicable. However, if there is good reason to do so, the member of staff may also return the item to the owner – (for example low value items like pencil cases taken from other children), or retain or dispose of it if returning them to their owner is not practicable. In determining whether there is a good reason to return the stolen item to its owner or retain or dispose of the item, the member of staff must have regard to the following guidance issued by the Secretary of State in the next paragraph
'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 article. In taking into account the relevant circumstances, the member of staff should consider the following:

- the value of the item - it would not be reasonable or desirable to involve the police in dealing with low value items such as pencil cases, though school staff may judge it appropriate to contact the police if the items are valuable;
- whether the item is banned by the school;
- whether retaining or returning the item to the owner may place any person at risk of harm; and
- whether the item can be disposed of safely.'

9.2.4 Any weapons or items which are evidence of a suspected offence must be passed to the police as soon as possible. Items that have been (or are likely to be) used to commit an offence or to cause personal injury or damage to property should be delivered to the police as soon as reasonably practicable, returned to the owner, retained or disposed of. In deciding what to do with such an item, the member of staff must have regard to the guidance issued by the Secretary of State above. The member of staff will take into account all relevant circumstances and use their professional judgement to determine whether the item should be delivered to the police, retained, returned to the owner or disposed of. In taking into account all relevant circumstances the member of staff should consider:

- whether it is safe to dispose of the item; and
- whether and when it is safe to return the item.

9.2.5 Items confiscated as banned in the behaviour policy will be returned to the child's parents or the child at the end of the school day in the case of mobile telephones, which should be handed in to the school office daily and not kept in school bags.

9.3 Confiscation as a disciplinary penalty.

9.3.1 All staff are entitled to confiscate. Retain, or dispose of an item of pupil's property as a disciplinary penalty in line with keeping a purposeful learning environment. For example, notes being passed around the class, toys or other possessions that are being used to distract individuals or other members of the class form their learning.

9.4 Electronic Devices

9.4.1 If it is suspected that the device has been or is likely to be used to commit an offence or cause personal injury or damage to property, then data or files on the device can be examined. The authorised member of staff needs to have reasonable cause to believe that the contents relate to an offence. Offences may included (but not limited to), indecent images of children, pornography, abusive messages, images or videos or evidence relating to suspected criminal behaviour. In all cases of such items being found the DSL must be informed and an appropriate safeguarding response be taken in addition to any need to inform the police.
9.4.2 indecent images of a minor (nude or semi-nude) are suspected, the staff member must not look on the device but report to the DSL who will contact the relevant authorities following the guidance 'Sharing nudes and semi nudes: advice for educational settings working with children and young people'. Further information can be found in KCSIE.
9.4.3 The school may delete files or data if they believe there is good reason (it could cause harm, disrupt teaching or break the school rules) to do so and they are not needed to be given to the police, because they will not form evidence in a criminal case.

10. Staff Authorised to search:

Headteacher – Miss Fairbairn
Deputy headteacher – Mrs Usher
Senco – Mrs Harding
EYFS/KS1 leader – Mrs Cemil

Where the search is of a boy, a male member of staff may conduct the search, supervised by one of those named above. All searches will be conducted with a second member of staff present, unless to delay would be likely to cause serious harm to the pupil or another person.

Bibliography:

Searching, Screening and confiscation – Advice for schools – DfE July 2022
Sharing Nudes and Semi-nudes - Advice for schools – DfE - December 2020

Appendix:

1. Sharing nudes and Semi nudes - how to respond to an incident.

Appendix 1

Sharing nudes and semi-nudes: how to respond to an incident

An overview for all staff working in education settings in England

UK Council for Internet Safety

This document provides a brief overview for frontline staff of how to respond to incidents where nudes and semi-nudes have been shared.

All such incidents should be immediately reported to the Designated Safeguarding Lead (DSL) or equivalent and managed in line with your setting's child protection policies.

The appropriate safeguarding lead person should be familiar with the full 2020 guidance from the UK Council for Internet Safety (UKCIS), ***Sharing nudes and semi-nudes: advice for education settings working with children and young people*** and should **not** refer to this document instead of the full guidance.

What do we mean by sharing nudes and semi-nudes?

In the latest advice for schools and colleges (UKCIS, 2020), this is defined as the sending or posting of nude or semi-nude images, videos or live streams online by young people under the age of 18. This could be via social media, gaming platforms, chat apps or forums. It could also involve sharing between devices via services like Apple's AirDrop which works offline. Alternative terms used by children and young people may include 'dick pics' or 'pics'.

The motivations for taking and sharing nude and semi-nude images, videos and live streams are not always sexually or criminally motivated.

This advice does not apply to adults sharing nudes or semi-nudes of under 18-year olds. This is a form of child sexual abuse and must be referred to the police as a matter of urgency.

What to do if an incident comes to your attention

Report it to your Designated Safeguarding Lead (DSL) or equivalent immediately. Your setting's child protection policy should outline codes of practice to be followed.

- **Never** view, copy, print, share, store or save the imagery yourself, or ask a child to share or download – **this is illegal.**[1]
- If you have already viewed the imagery by accident (e.g. if a young person has showed it to you before you could ask them not to), report this to the DSL (or equivalent) and seek support.
- **Do not** delete the imagery or ask the young person to delete it.
- **Do not** ask the child/children or young person(s) who are involved in the incident to disclose information regarding the imagery. This is the responsibility of the DSL (or equivalent).
- **Do not** share information about the incident with other members of staff, the young person(s) it involves or their, or other, parents and/or carers.
- **Do not** say or do anything to blame or shame any young people involved.
- **Do** explain to them that you need to report it and reassure them that they will receive support and help from the DSL (or equivalent).

For further information

Download the full guidance, *Sharing nudes and semi-nudes: advice for education settings working with children and young people* (UKCIS, 2020) at www.gov.uk/government/publications/sharing-nudes-and-semi-nudes-advice-for-education-settings-working-with-children-and-young-people.

[1] In exceptional circumstances, it may be necessary for the DSL (or equivalent) only to view the image in order to safeguard the child or young person. That decision should be based on the professional judgement of the DSL (or equivalent).