



Bexhill
Academy



Searching and Screening Policy 2023-2024

Adopted: September 2023
Next Review: September 2024
Reviewed By: Trudy Hillman

Searching, screening and confiscation policy

For Bexhill Academy

This policy was adopted on 1 September 2023
This policy is due for review on 1 September 2024

This policy has been prepared in accordance with:

- **DfE Guidance, Searching, screening and confiscation (Advice for head teachers, school staff and governing bodies) July 2022**
- **DFE Behaviour in Schools: July 2022**

At Bexhill Academy we want to ensure that all students, staff and visitors are safe from harm and threats of harm.

There are a broad range of items which, if brought into a school setting, or in the possession of a child or young person, could compromise the health and safety of the individual pupil, other students, staff or visitors to the academy. Items deemed as prohibitive by the Academy have been identified as being either illegal, dangerous or items which could cause 'harm, distress or injury to pupils or persons, or adversely affect good order and discipline of the school community'

Items prohibited by Bexhill Academy

- **Knives or weapons**
- **Alcohol**
- **Illegal drugs**
- **Stolen items**
- **Tobacco and cigarette papers**
- **Fireworks**
- **E-Cigarettes and Vapes**
- **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 to the property of, any person (including the pupil)**
- **Chains**
- **Catapults**
- **Lighters/matches**
- **Tools (screwdriver, hammer nails etc.)**
- **Pepper Sprays and Gas canisters**

- Any item fashioned to cause injury i.e a sharpened stick, shard of glass
- Laser pens
- Dangerous chemicals (acids, hair dyes, bleaches, nail varnish remover etc.)
- Aerosol (including deodorant and hair spray)
- Stink Bombs
- Solvents
- Chewing gum
- Energy drinks
- Super glue
- Needles (Syringes if required for medical grounds should be kept in accordance with the pupils care plan and the schools drugs/medical policy)
- Offensive material – pornography, racist, homophobic, extremist material (in any medium)
- Rope and cable ties
- Mobile phones and related Smart Watches if repeatedly misusing and taking footage of staff or students

This is not an exhaustive list and the Executive Principal may consider other items as inappropriate if they believe that the possession of the item is to cause harm, distress or injury to another.

Definitions applied in this policy

Knife - any bladed article including – craft knife, Stanley knife, Swiss army knife, fishing knife, razors, kitchen knives etc. or any other bladed item.

Weapon - any gun, including Air Rifles, BB gun, Toy Gun, Pellet Gun, Crossbow, Taser, Blowpipe, Knuckleduster or any similar item and includes any item made for the purposes of assault or defence. (The policy is not constrained by the criminal definition of an offensive weapon)

Incidents outside of school

Possession of any prohibited items in school, on the journey to and from school, on an academy trip or any extra curriculum activity – on or off the academy premises – is unacceptable, and students in breach of this policy, and therefore in breach of the Academy behavioural policy, will be subject to appropriate sanctions.

Screening

The law allows schools to require pupils to undergo screening by a walk-through or hand held metal detector, arch or wand, even if they do not suspect them of having a weapon and without the consent of the pupils and/or parents.

Only the Principal, or a member of the Senior Leadership Team as designated by the Principal, can carry out a search.

Searching and confiscation

If a member of staff suspects that a student is in possession of a prohibited item the pupil may be searched. This search should be conducted by the Principal, the ACE staff Team or a member of the Senior Leadership Team authorised by the Principal. **The authorised member of staff should make an assessment of how urgent the need for a search is and should consider the risk to other pupils and staff.**

The search **must** be conducted by a member of staff who is the same gender as the pupil, and with another staff member present. However, pupils may be searched by a staff member of the opposite sex and/or without a witness present where either:

- if the 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 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.

Before any search is undertaken, consent will be sought from the pupil. **If the pupil is not willing to co-operate with the search, the member of staff should consider why this is.**

Reasons might include that they:

- **are in possession of a prohibited item;**
- **do not understand the instruction;**
- **are unaware of what a search may involve; or**
- **have had a previous distressing experience of being searched.**

If consent is refused, the Academy will automatically presume that the pupil is carrying illegal and or unauthorised items. **Refusal to allow a search is a breach of the academy Behaviour Policy. Appropriate sanctions would be imposed which may be greater than if the student had consented to the search.** When the Academy suspects that illegal and or dangerous items are being held by a student, and the student refuses consent to be searched, the Academy will call the police and request that they carry out a search.

A member of staff can use such force as is reasonable given the circumstances when conducting a search for items that can cause harm to the student themselves and or others (e.g. knives or weapons, alcohol, illegal drugs or stolen items – items as highlighted as bold). **A member of staff cannot use such force to search for items which are identified only in the school rules. The decision to use reasonable force should be made on a case-by-case basis. The member of staff should consider whether conducting the search will prevent the pupil harming themselves or others, damaging property or from causing disorder.** The search must 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.

When being searched, pupils may be required to remove 'outer clothing' such as coats, shoes, blazers and jumpers. Searching the pupil's possessions includes searching items over which he/she has or appears to have control. A member of staff is able to search lockers and desks or other personal spaces at the school for any item provided the pupil agrees. If the pupil withdraws their agreement to search, a search may be conducted both for the prohibited items highlighted in bold and any items identified in the school rules for which a search can be made. 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 caused to a person if the search is not conducted immediately and where it is not reasonably practicable to summon another member of staff.

Searches will be conducted in such a manner as to minimise embarrassment or distress, and staff will follow normal safeguarding procedures. When prohibited items are found they will be confiscated and may be destroyed. The Academy may return these items to parents/carers at its sole discretion. **The Academy is not liable to pay any compensation for any prohibited item it removes from a student should that item be lost, damaged or destroyed.** Where any article is thought to be a weapon, illegal drug or stolen property it will be passed to the Police. If a pupil is found to be in possession of a prohibited item, then the staff member should alert the designated safeguarding lead (or deputy) and the pupil should be sanctioned in line with Bexhill Academy's Culture for Learning policy to ensure consistency of approach.

The designated safeguarding lead (or deputy) should be informed of **any** searching incidents, including where the member of staff had reasonable grounds to suspect a pupil was in possession of a prohibited item as listed and all searches conducted by police officers. This should be reported through the academy Safeguarding Procedures. The staff member should also involve the designated safeguarding lead (or deputy) without delay if they believe that a search has revealed a safeguarding risk.

Whether or not any items have been found as a result of any search, Bexhill Academy will consider whether the reasons for the search, the search itself, or the outcome of the search give cause to suspect that the pupil is suffering, or is likely to suffer harm, and/or whether any specific support is needed. Where this may be the case, academy staff should follow the academy's child protection policy and report to the designated safeguarding lead (or deputy).

Parents should always be informed of **any** search that has taken place, and the outcome of the search as soon as is practicable. A member of staff should inform the parents of what, if anything, has been confiscated and the resulting action the school has taken, including any sanctions applied.

Strip Searching

A strip search is a search involving the removal of more than outer clothing . Strip searches on school premises can only be carried out by police officers under the Police and Criminal Evidence Act 1984 (PACE) Code A and in accordance with the Police and Criminal Evidence Act 1984 (PACE) Code C. 12 While the decision to undertake the strip search itself and its conduct are police matters, school staff retain a duty of care to the pupil(s) involved and should advocate for pupil wellbeing at all times.

Before calling police into school, staff should 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 should consider whether introducing the potential for a strip search through police involvement is absolutely necessary, and should always ensure that other appropriate, less invasive approaches have been exhausted. Once the police are on academy premises, the decision on whether to conduct a strip search lies solely with them, and the role of the academy is to advocate for the safety and wellbeing of the pupil(s) involved. Except in cases of urgency where there is risk of serious harm to the pupil or others, whenever a strip search involves exposure of intimate body parts there must be at least two people present other than the pupil, one of which must be the appropriate adult.

Unless there is an immediate risk of harm and where reasonably possible, staff should inform a parent of the pupil suspected of concealing an item in advance of the search, even if the parent is not acting as the appropriate adult. Parents should always be informed by a staff member once a strip search has taken place. Strip searches must be reported to the Designated Safeguarding Lead so that Bexhill Academy keeps records of strip searches that have been conducted on school premises and monitor them for any trends that emerge. For further guidance on Strip Searches, please refer to Searching, Screening and Confiscation Guidance July 2022

Items found as a result of a 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
- or • is evidence in relation to an offence.

Controlled drugs must be delivered to the police as soon as possible unless there is a good reason not to do so. In these cases, the member of staff must safely dispose of the drugs.

Other substances which are not believed to be controlled should also be delivered to the police, or disposed of as above, if the member of staff believes they could be harmful.

If a member of staff finds a pornographic image, they may dispose of the image unless they have reasonable grounds to suspect that its possession constitutes a specified offence (i.e. it is extreme or an indecent image of a child) in which case it must be delivered to the police

as soon as reasonably practicable. Members of staff should never intentionally view any indecent image of a child (also sometimes known as nude or semi-nude images). Staff must never copy, print, share, store or save such images.

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, or retain or dispose of it if returning them to their owner is not practicable.

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.

Electronic Devices

Electronic devices, including mobile phones, can contain files or data which relate to an offence, or which may cause harm to another person. This includes, but is not limited to, indecent images of children, pornography, abusive messages, images or videos, or evidence relating to suspected criminal behaviour. Staff may examine any data or files on an electronic device they have confiscated as a result of a search if there is good reason to do so.

If the member of staff conducting the search suspects they may find an indecent image of a child (sometimes known as nude or semi-nude images), the member of staff should never intentionally view the image, and must never copy, print, share, store or save such images. When an incident might involve an indecent image of a child and/or video, the member of staff should confiscate the device, avoid looking at the device and refer the incident to the designated safeguarding lead (or deputy) as the most appropriate person to advise on the school's response

The Executive Principal will follow the Academies Safeguarding Policy and Procedures, including referrals to Children's Social Care or other agencies as required.