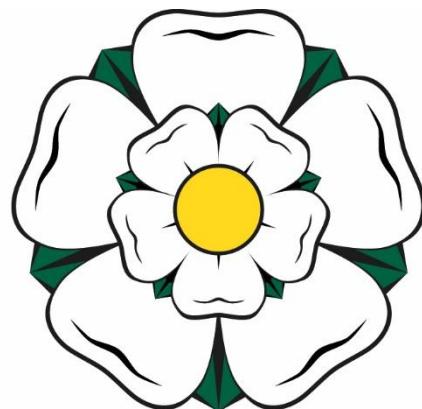


Searching and Confiscation Policy
The Wensleydale School & Sixth form



**THE WENSLEYDALE SCHOOL
& SIXTH FORM
LEYBURN**

Approved by:

Governing Body

Date: September 2022

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Vision

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

Searching

1. Searching can play a critical role in ensuring that the school is a safe environment 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.
2. The Headteacher has authorised the following staff (Senior Leadership Team, DSL and Deputies) under statutory powers to undertake searches of a pupil or their possessions where they have reasonable grounds to suspect that the pupil may have a prohibited item listed below

The list of prohibited items is:

- knives and weapons;
- 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
- pornographic images (see guidance relating to indecent images of children)

In addition to the list above the school may search for the following items under its responsibility to ensure a safe and effective learning environment

- Vape pens
- Vape fluid

- Mobile phones that are suspected to have been used in contravention of the no hear no see requirements
 - Lighters, lighter fluid or matches
 - Animals
 - Food items containing substances that are restricted for public health reasons such as nuts
 - Items that have been used by students to cause disruption to learning
3. Under common law, school staff have the power to search a pupil for any other 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.
 4. Before undertaking a search staff must consider the age and needs of pupils being searched. 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.
 5. Before any search takes place, the member of staff conducting the search should explain to the pupil why they are being searched, how and where the search is going to take place and give them the opportunity to ask any questions.
 6. The search should take place in an area of the school that is away from other pupils and must take place on school grounds unless an urgent search is needed on a school trip
 7. The law states that the member of staff conducting the search must be the same sex as the student being searched
 8. 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.
 9. Identified staff can search a pupil's outer clothing, pockets, and possessions. The person conducting the search must not require the pupil to remove any clothing other than outer clothing. 'Outer clothing' means any item of clothing that is not worn wholly next to the skin or immediately over a garment that is being worn as underwear.
 10. After a search is completed the member of staff conducting the search must do the following
 - Record the search on CPOMS including the following information
 - the date, time and location of the search;
 - 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;
 - what follow-up action was taken as a consequence of the search.
 - Inform the parent that a search has been undertaken, the reasons for doing so and the outcome of the search (unless there is a significant risk that doing so would place the student in danger)

11. In the unlikely event that the police conduct a search of a student on school site it is the responsibility of the school to ensure that a responsible adult ideally a parent or carer is in the room with the student

Confiscation

The following items will be confiscated by school to ensure the safety of the whole school community

- knives and weapons;
- 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
- pornographic images (see guidance relating to indecent images of children)
- Vape pens
- Vape fluid
- Mobile phones that are suspected to have been used in contravention of the no hear no see requirements
- Lighters, lighter fluid or matches
- Animals
- Food items containing substances that are restricted for public health reasons such as nuts
- Items that have been used by students to cause disruption to learning
- Energy and fizzy drinks
- Hoodies
- Chewing / Bubble gum

All confiscated items will be stored in the school safe in the main office or head teachers office until the following can take place

- Controlled drugs weapons, knives and items believed to be involved in a criminal offense must be delivered to the police as soon as possible
- Other substances which are not believed to be controlled should also be delivered to the police, or disposed, if the member of staff believes they could be harmful
- Alcohol; tobacco; cigarette papers; fireworks; vape pens; vape fluid; lighters; lighter fluid or matches; animals; food items containing substances that are restricted for public health

reasons such as nuts should be disposed of or given to parents but must never be returned to the student

- 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 but must confiscate the device and give directly to the DSL.
- 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. The following should be considered

-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;
-whether the item can be disposed of safely

- Mobile phones confiscated because of a suspected breach of the no hear no see mobile phone regulations should be given to a member of the senior leadership team. They will store the device in the safe until the end of the day when the head teacher may decide to return the device to the student or require parents to come and collect the device.
- Items that have been used to cause disruption to learning and banned food / drink (non-alcoholic) items may be returned to the student at the end of the day at the discretion of the head teacher.