Cornwall Education Learning Trust

Searching, screening and confiscation policy

Exceptional Educational Experience

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Safeguarding is everyone's responsibility

At Cornwall Education Learning Trust (CELT) we are committed to safeguarding and promoting the welfare of children and we expect all members, trustees, community champions, staff and volunteers to share this commitment.

Introduction

Ensuring school staff and learners 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 learners and staff welfare is protected and helps schools establish an environment where everyone is safe (DfE Screening searching and confiscation guidance).

Schools and their staff are an important part of the wider safeguarding system for learners. This system is described in the statutory guidance Working Together to Safeguard Children. Keeping children safe in education makes clear that all school staff have a responsibility to provide a safe environment in which learners can learn.

If an investigation or an allegation leads to reasonable suspicion and the search of a learner's clothes, bags and lockers is deemed appropriate, a search may be carried out. Designated staff will follow the latest DfE guidance on searching, screening and confiscation when conducting a search.

Staff will take into consideration the age and needs of learners being searched or screened. This includes the individual needs or learning difficulties of learners with special educational needs (SEN) and making reasonable adjustments that may be required where a learner has a disability.

Headteacher's will oversee the practice of searching to ensure that a culture of safe, proportionate and appropriate searching is maintained, which safeguards the welfare of all learners and staff with support from the designated safeguarding lead (or deputy).

Each headteacher will ensure that a sufficient number of staff are appropriately trained in how to lawfully and safely search a learner who is not co-operating, so that these trained staff can support and advise other members of staff if this situation arises. CELT is aware that all learners need open access to clean, well-stocked and safe toileting provision and that some pupils and students may require assistance from members of staff for personal care, including toileting, either due to the age and developmental level of the child, or a disability or medical need.

Before the search

At CELT, searches may only be conducted by staff authorised by the Headteacher. Authorised staff will ordinarily be members of SLT, the DSL or Operational DSL.

Before the search 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 learners and staff.

The authorised member of staff who has lawful control of the child can search a learner with their consent to look for any item banned by the school rules.

Before any search takes place, the member of staff conducting the search should explain to the learner why they are being searched, how and where the search is going to take place and give them the opportunity to ask any questions.

The authorised member of staff should always seek the co-operation of the learner before conducting a search. If the learner 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
- have had a previous distressing experience of being searched

If a learner continues to refuse to co-operate, the member of staff may sanction for not following a reasonable instruction, ensuring that they are responding to misbehaviour consistently and fairly.

Authorised staff may search a learner without consent where they have reasonable grounds to suspect they possess a prohibited item, or an item identified in the school's rules as an item that may be searched for. Prohibited items that can be searched for without consent include:

- knives or weapons
- alcohol
- illegal drugs

- stolen items
- tobacco and cigarette papers
- fireworks
- pornographic images
- articles that the member of staff reasonably suspects have been or could be used to commit an offence or cause personal injury to, or damage to property of, any person (including the learner

School rules may identify additional items that may be searched for, including vapes, mobile phones and similar devices.

Where permitted by law, reasonable force may be used to search for prohibited items, but not for items identified only in the school rules. Any use of force must follow current DfE restrictive intervention guidance and CELT policy. Before using reasonable force the member of staff should consider whether conducting the search will prevent the learner harming themselves or others, damaging property or from causing disorder.

During the search

Where

An appropriate location for the search should be found, typically a member of the senior leadership team office or safeguarding office. Where possible, this should be away from other learners. The search must only take place on the school premises or where the member of staff has lawful control or charge of the learner, for example on a school trip.

Who

The law states the member of staff conducting the search must be of the same sex as the learner being searched. There must be another member of staff present as a witness to the search.

There is a limited exception to this rule. This is that a member of staff can search a learner of the opposite sex and/or without a witness present only:

- 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 learner or it is not reasonably practicable for the search to be carried out in the presence of another member of staff

The extent of the search

Learners must be first asked to empty pockets, bags and check lockers (if applicable) themselves.

When conducting a search learners must not be required to remove any clothing other than outer clothing. 'Outer clothing' is defined as any item of clothing that is not worn wholly next to the skin or immediately over a garment that is being worn as underwear, as well as hats, shoes, boots or scarves.

A search may include a learner's possessions, including bags, desks and lockers, where the legal requirements for the search are met.

Strip searching

School staff must never conduct a strip search. Strip searches (a search involving the removal of more than outer clothing) on school premises can only be carried out by police officers under the Police and Criminal Evidence Act 1984 (PACE) Codes A and B. While the decision to undertake the strip search itself and its conduct are police matters, school staff retain a duty of care to the learner(s) involved and should advocate for learner wellbeing at all times.

Before calling police into the school, staff should assess and balance the risk of a potential strip search on the learner'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 by consulting with the designated safeguarding lead and headteacher, and should always ensure that other appropriate, less invasive approaches have been exhausted. Unless there is an immediate risk of harm and where reasonably possible, staff should inform a parent of the

learner suspected of concealing an item in advance of the search, even if the parent is not acting as the appropriate adult.

After a search

Whether or not any items have been found as a result of any search, schools should consider whether the reasons for the search, the search itself, or the outcome of the search give cause to suspect that the learner is suffering, or is likely to suffer harm, and/or whether any specific support is needed.

Where this may be the case, the safeguarding team will consider if pastoral support, an early help intervention or a referral to children's social care is appropriate. If any prohibited items are found during the search, the member of staff should follow the guidance on confiscation in section 10.

If a learner is found to be in possession of a prohibited item, then the staff member should alert the safeguarding team and the learner should be sanctioned in line with the school's behaviour policy to ensure consistency of approach.

Recording search

Any search by a member of staff or police officer should be recorded in the school's safeguarding reporting system CPOMS, including whether or not an item is found. This will allow the designated safeguarding lead (or deputy) to identify possible risks and initiate a safeguarding response if required.

Staff must record against the learner who was searched CPOMS record:

1. the date, time and location of the search
2. who conducted the search and any other adults or learner present
3. what was being searched for
4. the reason for searching
5. what items, if any, were found
6. what follow-up action was taken as a consequence of the search

Analysis of recording

Safeguarding leads will review the frequency of searches and the numbers to consider whether the searches fall disproportionately on any particular groups of learners by analysing the recorded data.

In such cases where searching is falling disproportionately on any group or groups, they should consider whether any actions should be taken to prevent this.

This information is reported to the Director of Inclusion on a half termly basis.

Informing parents and carers

Schools should reinforce the whole-school approach by building and maintaining positive relationships with parents and carers. Parents and carers should always be informed of any search that has taken place, and the outcome of the search as soon as is practicable. If the search is as a result of a safety plan, this will be agreed with parents, carers and learner in advance and regularly reviewed.

A member of staff should inform the parents or carers of what, if anything, has been confiscated and the resulting action the school has taken, including any sanctions applied.

Any complaints about searching, screening or confiscation should be dealt with through the normal school complaints procedure.

Confiscate and seize items

Staff may confiscate or seize items in the possession of learner that pose a risk to staff or learner, are illegal or banned by the school or is evidence in relation to an offence and may confiscate, retain or dispose of a learner's property as a disciplinary sanction so long as it is reasonable in the circumstances.

Confiscation of a learner's property will be proportionate and aimed at maintaining an environment conducive to learning and one which safeguards the rights of other learners to be educated. Where appropriate a member of staff will retain or dispose of a learner's property and if illegal products, such as alcohol, knives, tobacco or vapes are found in possession of learners they will be confiscated and disposed of. In certain instances,

these will be shared with the police. Staff are protected from liability for damage to, or loss of, any confiscated items. Mobile phones and similar devices may be confiscated in line with the school's Behaviour Policy. The length of confiscation must be reasonable and proportionate, taking account of the learner's individual circumstances..

Staff may seize an electronic device to examine any data or files on the device if they think there is good reason to do so. These data or files may be erased before returning the item if they believe there is good reason to do this. Where data or files may constitute evidence of an offence, they must not be deleted and the device should be passed to the police as soon as reasonably practicable.

If the member of staff conducting the search suspects they may find an indecent image of a child, 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. Staff will have regard to UKCIS 'Sharing nudes and semi-nudes: advice for education settings working with children and young people'.

The authorised staff member 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.

Screening

Screening can help provide reassurance to learner, staff, parents and carers that the school is taking measures to create a calm, safe and supportive environment.

Schools' statutory power to make rules on learner behaviour and their duties as employers in relation to the safety of staff, learner and visitors enables them to impose a requirement that learner undergo screening.

The school may require a learner to undergo screening by a walk-through or hand-held metal detector (arch or wand) regardless of whether they suspect the learner of having a weapon and without the learner's consent. If the

learner does not agree to undergo the screening the school has the right to stop them from entering the premises and will treat the learner's absence as unauthorised.

Before considering the installation and use of any technology for screening, the headteacher will consult with the local police who may be able to provide advice about whether installation of these devices is appropriate and inform learners, parents and carers.

Appendix: History of Changes

Version	Date	Page	Change	Origin of change
1.0	30.11.22		Original draft	
1.1	11.05.23	17	Home visits added	Trustees agreed
1.2	29.08.24		Annual review	
1.3	15.08.25	9	Updated action for confiscation of illegal products	
1.4	26.08.2026		Updated in line with DfE guidance, including mobile phones, searchable items and electronic devices.	