

MY OASIS

Therapeutic Alternative Provision

Searching, Screening and Confiscation Policy **2026/2027**

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Aims of Policy

The aims of this policy are to:

- Ensure My Oasis does as much as it can to safeguard the health, safety and welfare of all students, staff and visitors on the school site.
- Protect school property and the property of anyone on school grounds.
- Provide clarity on screening, searching and confiscation procedures to deter students from bringing banned or prohibited items into school or on school trips.
- Set out the school's approach in line with the Education Act 1996, Education Act 2002, Education Act 2011, Education and Inspections Act 2006 and DfE Searching, Screening and Confiscation guidance (September 2022).

My Oasis fully recognises its duty under Section 157 of the Education Act 2002 to safeguard and promote the welfare of students.

This is a whole school policy, applying to all students, staff, volunteers, and contractors (paid and unpaid). Consideration will always be given to the age, maturity, and individual needs of the child, including those with SEND or disabilities.

Searches

Staff may search a student and their possessions, lockers, and accommodation (e.g., on a school trip, while in the care of the school) for any item if the student agrees. If a member of staff suspects that a student has a banned item in their possession, they can instruct the student to turn out their pockets or bag. If the student refuses, sanctions will be applied in accordance with this policy.

If a student refuses to co-operate with a search, the Headteacher and staff authorised by the Headteacher may use reasonable force to search a student or a student's possessions where they have reasonable grounds for suspecting that a student has a 'prohibited item' as listed below in their possession. For the avoidance of doubt, reasonable force should not be used in a search for an item listed below under items banned under the school rules.

The Headteacher has authorised the following staff to carry out searches without student consent (where consent is not required) and to retain or dispose of items in accordance with this policy: Members of Senior Leadership.

All schools have a general power to impose reasonable and proportionate disciplinary measures (Education and Inspections Act 2006). This enables a member of staff to confiscate, retain or dispose of a student's property as a disciplinary penalty where it is reasonable to do so.

The school's policy on searching and confiscation has regard to the DfE guidance Searching, screening and confiscation: advice for schools (DfE, September 2022).

Prohibited Items

The Headteacher and staff authorised by them have a statutory power to search students or their possessions without the student's consent, when it is believed the student is carrying one of the prohibited items listed below (see DfE advice above). Prohibited items under the 1996 Education Act and Regulation 3 of the Schools (Specification and Disposal of articles) Regulations (SI 2012/951) are:

- Knives or weapons.
- Alcohol.
- Illegal drugs and substances.
- Stolen items.
- Tobacco, cigarettes, cigarette products, e-cigarettes, e-cigarette products.
- Fireworks.
- Pornographic images.
- Any item that a member of staff reasonably suspects has been or is likely to be used to commit an offence, injury to a person/s or damage to the property of the school or any person, including other students.
- Any items banned by the school rules that are identified as an item which may be searched for.

Conducting Searches

Under common law, school staff have the power to search for any item if a student agrees. The member of staff undertaking the search should ensure the student understands the reason for the search and how it will be conducted, so their agreement is informed.

When exercising these powers, the school must consider the age and needs of students being searched or screened. This includes the individual needs or learning difficulties of students with Special Educational Needs (SEN) and making reasonable adjustments that may be required where a student has a disability.

For all students in our 12s (Year 8) or below, parental consent will usually be sought; however, this is not a requirement and will not be sought in circumstances where the student is deemed to be able to provide consent or in relation to 'prohibited items'. Formal written consent is not required if it is sufficient for the student (or parent as appropriate) to agree.

If a student refuses to co-operate with a search for a 'prohibited item' as listed above, a member of staff would assess whether it is appropriate to use such force as is reasonably required to conduct the search.

The decision to use reasonable force should be made on a case-by-case basis. Consideration will be given as to whether conducting the search will prevent the student from harming themselves or others, damaging property or causing disorder.

Where a student is not willing to co-operate with a search and is not deemed to have sufficient maturity or understanding of the situation, then a parent's co-operation will be sought.

If a student refuses to co-operate with a search for items that are not 'prohibited items' as listed above, disciplinary action may be taken in accordance with the School's Behaviour Policy.

If a search is considered necessary, but not required urgently, the advice of the Headteacher/DSL and/or Therapeutic member of staff should be sought. During this time, the student should be supervised and kept away from other students.

Searches will be carried out on school premises or elsewhere, where the member of staff has lawful control or charge of the student, for example, during an educational visit or in training settings.

When students travel outside England on a school trip, they may only be searched without consent if allowed by the law of that country. If it is believed that a student has a prohibited item, it may be appropriate for a member of staff to carry out:

- A search of 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, as well as hats, shoes, boots or scarves.' (DfE, Searching, Screening & Confiscation January 2022).

- A search of School property (e.g. students' lockers or desks).
- A search for accommodation on an educational visit.
- A search of personal property.

Searches will be conducted in such a manner as to minimise embarrassment or distress. Staff will be the same sex as the student being searched, and there will be a witness (also a staff member) who, if possible, will be the same sex as the student being searched. As a limited exception to this rule, staff can carry out a search of a student of the opposite sex and/or without a witness present, but only where staff reasonably believe that there is a risk that serious harm will be caused to a person if a search is not carried out as a matter of urgency and in the time available, it is not reasonably practicable to summon another member of staff.

A student's possessions can only be searched in the presence of the student 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.

Where the Headteacher, or staff authorised by the Headteacher, finds anything which they have reasonable grounds for suspecting is a prohibited item, they may seize, retain and deal with that item in accordance with this policy. The staff member should also alert the DSL, and the student will be sanctioned in line with the school's Behaviour Policy to ensure a consistency of approach. The staff member should also involve the DSL without delay if they believe that a search has revealed a safeguarding risk.

It might be deemed necessary to call the police should the student resist the search. They have more powers when it comes to searching and will make an arrest where required.

Strip Searching

A strip search is a search involving the removal of more than outer clothing and can only be carried out on school premises by police officers under the Police and Criminal Evidence Act 1984 (PACE) Code A and in accordance with PACE Code C. More information is contained within the DfE advice to schools on Searching, Screening and Confiscation (July 2022).

While the decision to undertake a strip search itself and its conduct are police matters, school staff retain a duty of care to the student(s) involved and should advocate for student wellbeing at all times.

School staff will always 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.

In order to ensure students' well-being, the school may wish to involve an appropriate adult as a matter of course during all searches conducted by police in school.

After a Search

Whether or not any items have been found as a result of any search, the school will consider whether the reasons for the search or outcome give cause to suspect whether a student is suffering or likely to suffer harm and whether any specific support is needed.

Where appropriate, school staff will follow the School's Safeguarding and Child Protection Policy and procedures and speak to the DSL about possible pastoral support, early help intervention or a referral to children's social care.

Recording Searches

Any searches by a member of staff for a prohibited item listed above, items banned by the school rules and all searches conducted by police officers will be recorded in the school's safeguarding reporting system (CPOMS), including whether or not an item is found. This will allow the DSL to identify possible risks and initiate a safeguarding response if required.

Records of the search will include: the date, time and location of the search; which students were searched; who conducted the search and any other adults or students 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.

When searches need to take place, privacy and dignity for the student will always be considered. Any prohibited item found in a search will be confiscated immediately. Sanctions will be given.

Searching Electronic Devices

If an electronic device is found and is reasonably suspected of having been used to, or is likely to be used to: commit an offence, cause personal injury or damage to property, disrupt teaching or break the school rules, the member of staff may examine its contents and data or files unless they are already intending to give it to the police. If inappropriate material is found on the device, it is up to the teacher to decide whether they should delete that material, retain it as evidence (of a criminal offence or a breach of school discipline) or whether the material is of such seriousness that it requires the involvement of the police.

Staff should consider the appropriate safeguarding response if they find images, data or files on an electronic device that they reasonably suspect will put a person at risk.

Subject to the above, and the requirements set out in KCSIE 2025, if inappropriate material is found on an electronic device, the member of staff may delete the material, retain it as evidence of a breach of School discipline or criminal offence or hand it over to the police if the material is suspected to be evidence relevant to an offence.

Staff should not view or forward illegal images of a child. When viewing an image is unavoidable, staff should follow the school's policy on sharing nude and semi-nude images or videos.

The school will comply with data protection law in relation to any search of an electronic device.

Disposal of Confiscated Items

School staff can seize any prohibited item found. The period of confiscation will depend on the nature of the item confiscated and that of any related offence.

The following items, when confiscated, will be dealt with in the following ways:

- Alcohol: will be disposed of.
- Controlled Drugs: will be delivered to the police; in exceptional circumstances and at the discretion of a senior member of staff, the drugs may be destroyed without the involvement of the police if there is good reason to do so. All relevant circumstances will be taken into account, and staff will use professional judgment to determine whether the items can be safely disposed of. They will not be returned to the student.
- Other substances: substances which are not believed to be controlled drugs, but which are harmful or detrimental to good order and discipline, will be returned to parents if appropriate, or alternatively, will be disposed of.
- Stolen Items: will be returned to the owner or delivered to the police.
- Tobacco/cigarette papers/e-cigarettes or their products: will be disposed of.
- Fireworks: will be disposed of.
- Pornographic Images: pornographic images involving children or images that constitute extreme pornography will be handed to the police as soon as practicable, as possession of such images

may indicate that the student is at risk of harm, and the DSL will also be notified. Other pornographic images will also be discussed with the DSL, with the images being erased after a note has been made for disciplinary purposes, confirming the nature of the material.

- Any item deemed likely to commit an offence, injure someone or damage property: at the discretion of a senior member of staff, taking all the circumstances into account, be delivered to the police, returned to the owner, retained or disposed of.
- Weapons or items which are evidence of an offence will be passed to the police as soon as possible.
- An item banned under School rules: at the discretion of a senior member of staff, taking all the circumstances into account, will be delivered to the police, returned to the owner, retained or disposed of.

Where staff confiscate a mobile electronic device that has been used in breach of School rules to disrupt teaching, the device will be kept safely until the end of the school day, when it can be claimed by its owner, unless the senior member of staff considers it necessary to retain the device for evidence in disciplinary proceedings. If a student persists in using a mobile electronic device in breach of School rules, the device will be confiscated and must be collected by a parent or carer.

Electronic devices: if it is found that an electronic device has been used to cause harm, disrupt teaching or break School rules, including carrying out cyber-bullying, the device will be confiscated and may be used as evidence in disciplinary proceedings.

Once the proceedings have been concluded, the device must be collected by a Parent or carer. In serious cases, the device may be handed to the police for investigation.

Following Confiscation

Should the School make a confiscation, the designated member of staff will:

- Ensure the confiscated item is locked away safely and inform the SLT.
- Inform the student's parents.
- Deal with any queries regarding any searching and confiscation that took place.
- Return or dispose of (as above), confiscated items, if appropriate, at an agreed time.
- Inform parents what, if any, sanction is to be given.

All confiscations will be recorded.

As long as the member/s of staff acted lawfully, they are protected from any liability should proceedings be brought against them for the loss of or damage to any article they confiscated.

Communication with Parents/Carers

The school aims to work with parents: there is no legal requirement for the school to inform Parents before a search for banned or prohibited items takes place or to seek their consent to search their child, and it will not generally be practical to do so.

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

In some circumstances, it might also be necessary to inform parents of the search for an item banned by the school policy.

We will keep a record of all searches carried out.

Complaints about searching or confiscation will be dealt with through the School's Complaints Policy.

The school will take reasonable care of any items confiscated from students. However, unless negligent or guilty of some other wrongdoing causing injury, loss or damage, the school does not accept responsibility for loss or damage to property.

Screening

In order to safeguard students and staff and to maintain a safe, calm and orderly learning environment, the school conducts daily screening of all students on entry to the premises. Screening is a preventative measure and includes the use of hand-held metal detectors, visual inspection of bags, or other non-intrusive methods. Screening is conducted in accordance with Searching, Screening and Confiscation.

The school's authority to conduct screening derives from its statutory duty to safeguard and promote the welfare of children under the Education Act 2002 and its powers to maintain good order and discipline under the Education and Inspections Act 2006 (as amended by the Education Act 2011). Schools are not required to have suspicion or to obtain consent in order to screen students using a metal detector. Screening may be made a condition of entry to the school site.

As screening forms part of the school's routine entry procedures and applies to all students, refusal to comply may result in the student being denied entry to the premises until the screening process is completed and may lead to further action in line with the Behaviour Policy.

Screening is applied consistently to all students to ensure fairness and reduce the risk of discrimination. The school will take into account the age, maturity and individual needs of students, including those with SEND or disabilities, and will make reasonable adjustments where required. Screening will always be conducted in a respectful and proportionate manner to minimise distress or embarrassment.

Where screening indicates the possible presence of a prohibited or banned item, the school will follow the procedures set out in this policy regarding searching and confiscation. Any safeguarding concerns identified during screening will be reported immediately to the DSL and recorded in line with the School's Safeguarding and Child Protection Policy

Training

There is no legal requirement for a member of staff carrying out a search/screening to receive training beforehand. However, staff are requested to familiarise themselves with this policy, so they are aware of the school's guidelines.

Linked Policies

Behaviour, Exclusion, Health & Safety, Medical, Safeguarding, Handling Allegations.