

Presfield High School & Specialist College



Searching and Confiscation Policy

Date ratified: 4th March 2026

Date for review: 4th March 2028

Signed:



Chair of Governors

Presfield High School

Statement of Intent

We are committed to providing a caring, friendly and safe environment for all of our pupils and staff. Using searching and confiscation powers appropriately is an important way to ensure pupil and staff welfare is protected and helps establish an environment where everyone is safe.

Before conducting a search of a pupil, it is vital that schools consider their obligations under the European convention on Human Rights. Under Article 8, pupils have a right to respect for their private life. All pupils at Presfield have the right to expect a reasonable level of personal privacy.

Supporting Documents

[https://www.equalityhumanrights.com/en/human-rights-act/article-8-respect-your-private-and-family-life#:~:text=Article%208%20protects%20your%20right,and%20emails%2C%20for%20example\).](https://www.equalityhumanrights.com/en/human-rights-act/article-8-respect-your-private-and-family-life#:~:text=Article%208%20protects%20your%20right,and%20emails%2C%20for%20example).)

Searching

Searching can play a critical role in ensuring that our school is a safe environment for pupils and staff. Headteachers and staff they authorise have a statutory power to search a pupil or their possessions where they have reasonable grounds to suspect that the pupil may have a prohibited item.

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 used, or is likely to be used:
 - To commit an offence
 - To cause personal injury to, or damage to property of; any person(including the pupil)
- Tobacco and cigarette papers
- Fireworks; and
- Pornographic images

Any other banned items for which a search can be made should be highlighted in the school behaviour policy.

Under common law, school staff have the power to search a pupil for any item if the pupil agrees. At Presfield High School and Specialist College, we will make reasonable adjustments for our students and support them to understand the reason for the search.

Only the headteacher or a member of staff authorised by the headteacher can carry out a search. This will ensure that a culture of safe, proportionate and appropriate searching is maintained. At Presfield any search must be carried out by either the Head, Deputy or Assistant Head teacher with another staff member present.

The designated safeguarding lead (or deputy) should be informed of any searching incidents. If the designated safeguarding lead (or deputy) finds evidence that any of our pupils are at risk of harm, they will make a referral as appropriate.

Before searching

A search can be considered if the member of staff has reasonable grounds for suspecting that the pupil is in possession of a prohibited item or any item identified in the school rules for which a search can be made, or if the pupil has agreed. Before any search takes place the member of staff conducting the search should explain to the pupil why they are being searched and should always seek the cooperation of the pupil before commencing the search.

If the pupil is non compliant it may be that the student has not understood or that they are in possession of a prohibited item. On this occasion further advice should be sought from SLT, safeguarding or pastoral members of staff who may have more information about the pupil.

The decision to use reasonable force/Team Teach may be required if it is considered that the pupil is in possession of a prohibited item and the use of Team Teach will prevent the pupil harming themselves or others, damaging property or from causing disorder.

During a search

An appropriate location for the search should be found away from other pupils. A member of staff may search a pupil's outer clothing, pockets, possessions, desks or lockers. The law states that the member of staff conducting the search must be of the same sex as the pupil being searched. With the exception that carrying out the search is a matter of urgency. There must be another member of staff present as a witness to the search.

Recording searches

Any search by a member of staff for a prohibited item should be recorded in the schools safeguarding reporting system, including whether or not an item is found.

Parents/carers will be informed of any search for a prohibited item and the outcome of the search. A member of staff will also inform the parents/carers of what, if anything, has been confiscated and the resulting action the school has taken.

Confiscation

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
- Is evidence in relation to an offence

Prohibited or illegal items

Controlled drugs or other substances that staff believe could be harmful must be delivered to the police as soon as possible. If a staff member finds alcohol, tobacco, cigarette papers or fireworks, they may retain or dispose of them as they think appropriate but should not return them to the pupil. 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.

If a member of staff finds stolen items, these must be delivered to the police. 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 to the owner is not practicable.

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 and consider the following:

- The value of the item
- 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.

Any weapons or items which are evidence of a suspected offence must be passed to the police as soon as possible

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.

At Presfield, staff should inform safeguarding leads (or DSL) if they find anything that suspects are likely to put a person at risk.

Confiscation

Schools general power to discipline enables a member of staff to confiscate, retain or dispose of a pupil's property as a disciplinary penalty, where reasonable to do so. The law protects members of staff from liability in any proceedings brought against them for any loss of, or damage to, any item they have confiscated, provided they acted lawfully.

This policy aims to help support staff in safeguarding students and staff alike by providing guidance in such matters.