

Great Bardfield Primary School



SEARCHING, SCREENING AND CONFISCATION POLICY

Approved by:	Elizabeth Crow (Headteacher)
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Ratified by Governors:	September 2026
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Next review due by:	September 2027
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Statement of intent

Great Bardfield Primary School recognises that pupils have a right to privacy, dignity and respectful treatment. The school also has a duty to maintain a safe environment and protect pupils from harm. Searching, screening and confiscation will therefore be undertaken calmly, lawfully, proportionately and with the minimum intrusion necessary.

This policy gives staff confidence to use the school's legal powers appropriately while ensuring that safeguarding, equality, SEND, welfare and human rights considerations remain central to decision-making.

1. Legal framework and 2026 updates

Education Act 1996, including sections 550ZA and related provisions governing searches without consent.

Education and Inspections Act 2006.

Schools (Specification and Disposal of Articles) Regulations 2012.

Health and Safety at Work etc. Act 1974.

Human Rights Act 1998 and relevant Convention rights.

Equality Act 2010, including reasonable adjustments for disabled pupils.

Children Act 1989 and Children Act 2004 safeguarding duties.

Children's Wellbeing and Schools Act 2026.

Keeping children safe in education 2026 (KCSIE 2026).

Working Together to Safeguard Children 2026.

DfE Searching, Screening and Confiscation guidance for schools.

DfE Mobile Phones in Schools guidance, statutory from 29 June 2026 and expected to be followed from 1 September 2026.

DfE Behaviour in Schools guidance.

DfE School Suspensions and Permanent Exclusions guidance, effective from 26 July 2026.

DfE Drugs: advice for schools, where relevant.

Operation Encompass statutory notification arrangements, where relevant.

2. Roles and responsibilities

2.1 Governing Body

Ensure the policy is implemented and reviewed.

Provide oversight of searching, screening and confiscation.

Review relevant data and significant safeguarding or equality concerns.

2.2 Headteacher

Authorise staff to conduct searches without consent in accordance with the law and this policy.

Ensure staff understand their legal powers, limits and safeguarding responsibilities.

Ensure prohibited items and searchable school-rule items are clearly identified.

Ensure staff receive appropriate training.

Monitor searches, confiscation and any physical intervention.

Ensure records are maintained and reviewed for patterns or disproportionality.

Review this policy annually or sooner where guidance or law changes.

2.3 DSL

Manage safeguarding concerns arising from searches or confiscation.

Ensure concerns are recorded and referred appropriately.

Consider wider vulnerability, exploitation, abuse, domestic abuse, online harm and other safeguarding concerns.

Advise staff on welfare and aftercare.

Ensure relevant information is shared lawfully and promptly.

2.4 Staff

Act within the law, this policy and the Behaviour and Relationships Policy.

Use the least intrusive approach that is reasonable and proportionate.

Consider age, maturity, SEND, disability, communication needs, trauma and vulnerability.

Raise safeguarding concerns with the DSL promptly.

Record searches and confiscation as required.

Seek assistance rather than escalating situations unnecessarily.

3. Screening

The school does not routinely screen pupils unless a lawful and proportionate screening arrangement has been authorised and communicated. Where screening is used, the school will explain its purpose, apply it consistently and consider reasonable adjustments for disabled pupils and pupils with additional needs.

4. Authorised staff

Only the Headteacher and staff expressly authorised by the Headteacher may use the statutory power to search pupils or possessions without consent.

Role / person	Authority
Headteacher	Statutory search power in accordance with this policy
Authorised staff	Only where specifically authorised by the Headteacher
Other staff	May seek consent and must refer a non-consensual search to an authorised member of staff

The Headteacher will maintain a current internal list of authorised staff with the controlled copy of this policy.

5. Prohibited and school-rule items

5.1 Prohibited items

- Knives or weapons.
- Alcohol.
- Illegal drugs.
- Stolen items.
- Any article reasonably suspected of having been or being likely to be used to commit an offence, cause personal injury or damage property.
- Tobacco and cigarette papers.
- Fireworks.
- Pornographic images, subject to the safeguarding requirements in this policy.

5.2 School-rule items

The school may identify additional items in its school rules for which an authorised search may be conducted. These items must be clearly identified in the Behaviour and Relationships Policy, this policy or other published school rules.

- Mobile phones (unless a Year 6 pupil) and other personal interactive communication devices.
- MP3 players, tablets, electronic/battery games and similar unauthorised devices.
- Products containing solvents or other hazardous substances.
- Aerosols where prohibited.
- Matches, lighters, cigarettes and vapes.
- Legal highs or other substances prohibited by school rules.
- Non-prescribed hypodermic needles.
- Excessive jewellery contrary to the Uniform Policy.
- Energy drinks or other high-caffeine drinks prohibited by the school.

A school-rule ban does not automatically create a power to search without consent. A school-rule item may only be searched for without consent where it has been expressly identified as searchable and the statutory conditions are met.

6. Searching with consent

Any member of staff may request a consensual search where there is a legitimate school, safety or safeguarding reason.

Formal written consent is not normally required; informed verbal agreement is sufficient.

The pupil should understand why the search is requested and how it will be conducted.

The search must be reasonable, proportionate and respectful.

Staff must consider age, maturity, SEND, disability, communication needs and safeguarding vulnerabilities.

A refusal of consent may only lead to a non-consensual search where an authorised member of staff has the statutory power and the legal conditions are met.

7. Searching without consent

The Headteacher and authorised staff have statutory powers to search a pupil or possessions where there are reasonable grounds to suspect that the pupil may have a prohibited item, or a school-rule item expressly identified as searchable.

7.1 Before searching

Consider necessity and proportionality.

Consider whether the matter can safely be resolved without a search.

Explain why the search is being considered and how it will be conducted, where safe to do so.

Consider age, understanding, SEND, disability, communication needs and welfare.

Consider privacy and the need for a witness.

Inform the DSL where a safeguarding concern is present.

7.2 Reasonable grounds

Reasonable grounds must be based on the circumstances known to the staff member at the time. They must not be based on stereotypes, protected characteristics, discriminatory profiling or assumptions about a pupil.

8. Privacy, dignity and equality

Searches should normally be conducted by a member of staff of the same sex as the pupil and in the presence of a witness, where practicable and lawful.

The statutory exceptions apply where there is a risk of serious harm if the search is not conducted immediately and it is not reasonably practicable to summon another member of staff. The school will use a suitable location away from other pupils wherever practicable.

The search will be limited to what the law permits. Staff will not conduct intimate searches.

Staff will take account of a pupil's increased expectation of privacy as they get older.

Reasonable adjustments will be made for disabled pupils where appropriate.

Search decisions and patterns will be monitored for potential disproportionality.

9. During a search

For this policy, outer clothing means clothing not worn next to the skin or immediately over underwear, such as coats, hats, shoes and gloves. Possessions include goods over which the pupil has or appears to have control, including bags, desks and lockers.

A pupil's possessions should normally be searched in the pupil's presence and with another member of staff present, unless there is a risk of serious harm if delayed.

Staff must not conduct an intimate search.

Staff must not require removal of more clothing than is lawfully permitted.

If a search becomes unsafe, staff should stop where possible, seek assistance and follow safeguarding/emergency procedures.

10. Physical intervention during a search

Physical intervention is not a routine part of searching. It may only be used where lawful and necessary and in accordance with the school's Positive Handling / Restrictive Interventions Policy and current DfE reasonable-force guidance.

- Force must never be used as punishment.
- Any force must be no more than necessary and proportionate.
- Force must not be used to search for a school-rule item where the law does not provide the relevant power.
- Staff should seek assistance and use de-escalation wherever possible.
- Any significant use of force must be recorded and reported under the school's Positive Handling / Restrictive Interventions Policy and applicable statutory requirements.

11. Strip searches

School staff will never conduct a strip search of a pupil. A strip search is a search involving removal of more than outer clothing. Where a strip search is considered necessary, it is a matter for the police, not school staff.

- The school will maintain its duty of care and advocate for the pupil's wellbeing.
- Before a police strip search is requested, staff will consider the risk to the pupil's physical and mental wellbeing against the risk of not recovering the suspected item.
- The school will cooperate with the police and follow safeguarding procedures.
- Where intimate body parts may be exposed, the school will seek to ensure the legal requirements concerning an appropriate adult and other adults are met, subject to police powers and urgent-risk exceptions.
- The incident and safeguarding actions will be recorded.
- Parents/carers will be informed in accordance with the law, safeguarding considerations and police advice.

- The pupil will be offered support and an opportunity to ask questions and express their views.

12. After a search: confiscation, retention and disposal

Staff may seize and retain items where the law permits. Disposal, return or referral to the police depends on the item, circumstances and applicable legal requirements.

Item	Expected action
Weapons / evidence of an offence	Secure safely and pass to police as appropriate.
Controlled drugs	Secure and refer to police as soon as practicable unless a lawful alternative disposal is justified.
Stolen property	Return to owner or refer to police, taking account of circumstances.
Alcohol / tobacco / fireworks	Retain or dispose of appropriately; do not return where prohibited.
Other prohibited or unsafe items	Retain, dispose of or refer to police as appropriate.
School-rule items	Manage under the Behaviour Policy and school rules, proportionately.

Where staff are uncertain about an item's legal status, they should seek advice from the Headteacher/DSL and, where appropriate, the police.

13. Electronic devices

If a device is lawfully seized and there is a good reason to suspect it contains relevant data, staff may examine it within their legal powers.

Parental consent is not required for a lawful search of a seized device where statutory conditions are met.

If material suggests a safeguarding risk, inform the DSL immediately.

If a device or data may be evidence of an offence, preserve it and seek police advice rather than deleting, copying or sharing material unnecessarily.

Staff must not copy, print, share, store or save indecent images of children.

Where an indecent image is encountered, avoid further viewing, secure the device and report immediately to the DSL.

The school will avoid unnecessary criminalisation of children involved in experimental image-sharing, while escalating aggravated cases involving abuse, exploitation, coercion or adults.

14. Mobile phones and personal interactive communication devices

- From 1 September 2026 the school will operate its mobile-phone arrangements in accordance with the DfE's statutory Mobile Phones in Schools guidance. The school will be a mobile-phone-free environment by default during the school day, subject to clearly defined exceptions.
- Pupils must not have access to or use mobile phones during the school day except where an agreed exception applies.
- Exceptions for medical, SEND, safeguarding, travel or other individual needs must be agreed and recorded appropriately.
- The Behaviour Policy and mobile-phone arrangements will explain how devices are handed in, stored, returned and confiscated.

- Confiscation will be proportionate and consistent and will take account of individual circumstances.
- Where there is reason to suspect a device contains evidence of an offence or safeguarding concern, the school's searching and safeguarding powers apply.

15. Safeguarding and information sharing

- A search may reveal a safeguarding concern wider than the item being sought. Staff must remain alert to abuse, exploitation, domestic abuse, peer-on-peer abuse, sexual abuse, coercion, neglect, online harm and criminal exploitation.
- Safeguarding concerns must be reported to the DSL in line with the Child Protection and Safeguarding Policy.
- The school will work in accordance with KCSIE 2026 and Working Together to Safeguard Children 2026.
- The Children's Wellbeing and Schools Act 2026 introduces a statutory information-sharing duty for safeguarding and promoting children's welfare, commencing in September 2026.
- Where the duty applies, staff must not allow uncertainty about consent or confidentiality to prevent appropriate safeguarding information being shared; seek DSL advice where necessary.
- The school will continue to comply with data protection law and principles of necessity, relevance, accuracy, security and proportionality.

16. Recording searches

All searches for prohibited items will be recorded. The school will also record searches for school-rule items under its local arrangements.

- Date, time and location.
- Pupil name.
- Searching staff member.
- Other adults or pupils present.
- Item sought and its legal/school-rule status.
- Reason and reasonable grounds.
- Consent or statutory power used.
- Witness/same-sex arrangements and any relevant exception.
- Outcome and any other items found.
- Physical intervention, if any, with reference to the positive-handling record.
- Safeguarding concerns and DSL action.
- Action taken with the item.
- Parent/carer communication.
- Follow-up, support or review.

17. Informing parents and carers

Parents/carers will normally be informed when a prohibited item is recovered through a search. The school may inform parents/carers about a school-rule search where proportionate or necessary for behaviour, safeguarding or welfare. For safeguarding incidents, communication will follow KCSIE, the Child Protection Policy and professional advice. Where police or safeguarding investigations are involved, the school will consider whether and when parents/carers should be informed with the relevant agency. Police strip searches will be managed in accordance with the law, safeguarding arrangements and police advice.

18. Staff conduct

- Staff must act within their authority and this policy.
- Staff must not conduct searches without consent unless authorised and lawfully entitled.
- Staff must never conduct a strip search.
- Searches must never be used to humiliate, intimidate, punish or discriminate.
- Concerns about staff conduct will be managed under safeguarding, disciplinary and allegations procedures as appropriate.

19. Complaints

Complaints about searching, screening, confiscation or treatment of a pupil will be handled under the school's Complaints Procedure. Where a complaint raises a safeguarding allegation about staff, the school will follow KCSIE and local safeguarding arrangements.

20. Monitoring, equality and governance

The Headteacher will monitor the number and nature of searches and confiscations.

The Governing Body will receive appropriate assurance through behaviour and safeguarding monitoring.

The school will identify repeat incidents and patterns by pupil, location, time and item.

The school will monitor for disproportionality related to disability, SEND, race, sex or other protected characteristics.

Where disproportionate patterns are identified, the school will investigate and take reasonable steps to reduce unnecessary disparity.

The policy will be reviewed annually and after any serious incident or significant legal/guidance change.

21. Review and publication

This policy will be reviewed annually by the Headteacher and Governing Body, or sooner where there is a change in legislation, statutory guidance, DfE guidance, local safeguarding arrangements or school practice. Changes will be communicated to staff and, where relevant, pupils and parents/carers.

APPENDIX 1 – Staff decision-making considerations

- Is there a legitimate reason to consider a search? If no, do not search.
- Can the matter be resolved safely without a search? If yes, use the least intrusive alternative.
- Is the pupil willing to consent? If yes, explain the search and proceed proportionately.
- If there is no consent, does an authorised member of staff have lawful power to search for the specific item? If no, do not search.
- Are there reasonable grounds for suspicion? If no, do not search without consent.
- Consider age, SEND, disability, communication needs, safeguarding and welfare.
- Conduct the search lawfully, privately and with appropriate safeguards.
- If an item is found, secure it and manage it under the confiscation/disposal rules.
- If safeguarding concerns arise, contact the DSL immediately.
- Record the search and follow-up actions.

APPENDIX 2 – Minimum search record

Field	Record
Date / time / location	
Pupil	
Searching staff member	
Witness / other adults	
Item sought	
Reason / reasonable grounds	
Consent or statutory power	
Search outcome	
Other items found	
Confiscation / disposal action	
Safeguarding concern / DSL action	
Parent/carer communication	
Physical intervention used?	
Follow-up / review	

APPENDIX 3 – Governor assurance checklist

- Is the current policy approved and published?
- Are authorised searchers current?
- Are prohibited and searchable school-rule items clear?
- Are staff trained on lawful searching and safeguarding?
- Are searches recorded consistently?
- Are electronic-device incidents handled safely and lawfully?
- Are safeguarding concerns escalated to the DSL?
- Are patterns and potential disproportionality monitored?
- Is statutory mobile-phone guidance reflected in practice?
- Is the policy reviewed after legal or guidance changes?

APPENDIX 4 CONFISCATION OF PROPERTY POLICY AND PROCEDURE PROCESS MAP

