

# Prohibited Items, Search & Confiscation Policy

Policy last reviewed:	September 2024
Next review due:	September 2027
Member of staff responsible	Assistant Headteacher – Behaviour & Culture
Governor’s Committee:	FGB

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**Vision Statement:** Our vision is to be a centre of excellence for learning, inspired by Christian values, where every person in our school community fulfils their potential.

**Mission Statement:** Our mission is to be a deeply Christian inclusive community which values every individual as a child of God.

**Values Statement:** The school aims to serve its community by providing an education of the highest quality within the context of Christian belief and practice. It encourages an understanding of the meaning and significance of faith and promotes Christian values through the experience it offers to all its students.

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**Dignity** Underpinning all that we do is the core belief in the ultimate worth of each person as a child of God – precious, valued and loved by God. Dignity comes from the knowledge of our ultimate worth as human beings.

**Community** Having understood our value as individual human beings, we express this value through the quality of the relationships that we share with each other. Community, living well together, is of very great importance to us as a school, as is the place we each take in the wider community locally, nationally and internationally.

**Wisdom** As a school we seek to foster confidence, delight and discipline in seeking wisdom, knowledge and truth. This is achieved through the nurturing of academic habits and skills, emotional intelligence, resilience and creativity across the breadth of the curriculum.

**Hope** As we prepare our students for the future, we look to open up horizons of hope and aspiration, encouraging our students to embrace these with confidence and sending them out to make a difference to the world in which they live.

# Prohibited Items, Search & Confiscation Policy

**Aim:**

To ensure the safety of students and staff we cannot allow certain items to be brought into school. If prohibited items are brought into school, these will be confiscated, in line with this policy.

**Purpose:**

The Education Act 2006 permits schools to search for and confiscate property as a disciplinary sanction in their behaviour policy. This was developed further by the DfE in [Searching, Screening and Confiscation \(July 2022\)](#), which provides advice on such powers in addition to including statutory guidance.

Confiscation must be a reasonable sanction and decisions taken about the retention or disposal of confiscated items must also be reasonable.

If items are prohibited this means that they should not be brought onto the school site, allowed onto school trips or visits (unless indicated otherwise) or be in the possession of students on the journey to or from school.

Headteachers and staff they authorise have a statutory power to search a pupil or possessions where there are reasonable grounds to suspect that a pupil may have a prohibited item.

Prohibited items as defined by the DfE are:

- 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).
- [an article specified in The Schools \(Specification and Disposal of Articles\) Regulations 2012](#):
  - tobacco and cigarette papers;
  - fireworks;
  - and pornographic images.

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Additional prohibited items are also left to individual schools to define. The Holy Trinity School also prohibits:

- vapes (which are not included in the 2012 regulations)
- aerosols. Aerosols are prohibited due to the health and safety risk they pose to some staff and students with a medical condition.
- Chewing gum
- Solvents
- Stink bombs
- Water balloons
- Caffeinated/energy drinks
- Laser pens

## **Searching:**

If a member of the Leadership team believes that a student is in possession of, or has brought onto the school site a prohibited item or any article that the member of staff reasonably suspects has been, or is likely to be, used to commit an offence, to cause personal injury to, or damage to the property of any person (including the student), then the school reserves the right to search a student's belongings in order to confiscate and sometimes dispose of such items.

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. The authorised member of staff will always seek the co-operation of the pupil before conducting a search. If the pupil is not willing to co-operate with the search, the member of staff should consider why this is. If a pupil continues to refuse to co-operate, the member of staff may sanction the pupil in line with the school's behaviour policy.

School staff can seize any banned or prohibited item found as a result of a search or which they consider harmful or detrimental to school discipline. If a student refuses to be searched for illegal possessions, the school reserves the right to call the Police.

## **Confiscation:**

School staff can seize any prohibited item found as a result of a search. They can also seize any item, they consider harmful or detrimental to school discipline. **Prohibited items which will be immediately disposed of:**

- Chewing gum
- Solvents

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- Aerosols
- Stink bombs
- Water balloons
- Caffeinated / energy drinks

## **Prohibited items which will be confiscated and retained for parents/carers to pick up:**

Jewellery (see uniform policy) – this includes facial jewellery. Only a wrist watch and one small pair of studs may be worn

Phones/devices (e.g. headphones), if confiscated on a number of occasions – see Mobile Phone policy for further details.

Laser pens/r

## **Prohibited items which will be confiscated and may be passed onto the Police:**

- Fireworks and explosive devices
- Offensive weapons including chains
- Imitation weapons including BB guns
- Illegal drugs
- Stolen items
- Pornographic images
- Students who bring prohibited items into school will be sanctioned and parents will be notified. The punishment could include permanent exclusion from the school.
- Non-uniform items of clothing brought into school may be kept by staff to look after until the end of the day or, if deemed dangerous or offensive, may need to be returned via parents.
- The school reserves the right to prohibit and confiscate other items, not mentioned above, which are deemed dangerous or inappropriate within the school environment.
- Valuable items brought in to school are done so at the risk of the student and the school can take no responsibility for any loss or damage incurred.

## **Circumstances**

Other than in exceptional circumstances, where a staff member may reasonably believe that there is a risk that serious harm will be caused to a person if they do not conduct the search immediately and where it is not reasonably practicable to summon another member of staff, the member of staff searching the student must be the same sex as the student being searched; and there must be a witness (also a staff member).

The person conducting the search may not require the student to remove any clothing other than outer clothing.

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'Outer clothing' means clothing that is not worn next to the skin or immediately over a garment that is being worn as underwear, but 'outer clothing' includes hats; shoes; boots; blazer; gloves and scarves.

'Possessions' means any goods over which the student has or appears to have control – this includes bags.

## **Electronic devices**

Where the person conducting the search finds an electronic device that they reasonably suspects has been, or is likely to be, used to commit an offence or cause personal injury or damage to property, they may examine any data or files on the device where there is a good reason to do so. They may also delete data or files if they think there is a good reason to do so, unless they are going to give the device to the Police. This power applies to all schools and there is no need to have parental consent to search through a young person's mobile phone if it has been seized in a lawful 'without consent' search and is reasonably suspected of being, or being likely to be, used to commit an offence or cause personal injury or damage to property.

The member of staff must have regard to the following guidance issued by the Secretary of State when determining what is a "good reason" for examining or erasing the contents of an electronic device:

- In determining a 'good reason' to examine or erase the data or files the staff member should reasonably suspect that the data or file on the device in question has been, or could be, used to cause harm, to disrupt teaching or break the school rules.
- If an electronic device has been seized and the member of staff has reasonable grounds to suspect that it contains evidence in relation to an offence, they must give the device to the Police as soon as it is reasonably practicable. Material on the device that is suspected to be evidence relevant to an offence, or that is a pornographic image of a child or an extreme pornographic image, should not be deleted prior to giving the device to the Police.
- If a staff member does not find any material that they suspect is evidence in relation to an offence, and decides not to give the device to the Police, they can decide whether it is appropriate to delete any files or data from the device or to retain the device as evidence of a breach of school discipline.

## **Telling parents and dealing with complaints:**

Schools are not required to inform parents before a search takes place or to seek their consent to search their child. It is the school's policy to inform the individual student's parents or guardians where alcohol, illegal drugs, pornographic images or potentially harmful substances are found, although there is no legal requirement to do so.