**SEARCHING STUDENTS AND CONFISCATION POLICY**

This policy refers to the DfE *Searching, Screening and Confiscation* guidance*, July 2022.*

**Searching with a student's consent**

Any member of school staff can search a student for any item with their consent. They do not need written consent – it is enough to ask the student to turn out their pockets or if staff can look in their bag, and for the student to agree.

As part of the Boxing Academy’s referral process all parents and students are informed of the requirement to undergo **routine** searches every morning on arrival. All belongings are handed over to be safely locked away for the duration of the school day. This process is not optional, if a student refuses to be searched they will be denied entry and their parents/ carers will be informed.

If staff suspect the student has a banned item in their possession and they refuse a search, staff can apply an appropriate sanction. The Boxing Academy Behaviour Policy sets out which items are banned and what punishment students might receive for refusing to comply with a search request.

**Searching without a student's consent**

Staff can only undertake this type of search if they have 'reasonable grounds' for suspecting a student may have a prohibited item in their possession. It's up to staff to decide what 'reasonable grounds' might be. For example, staff may:

* Hear other students talking about the prohibited item; or
* Notice a student behaving in a way that causes staff to suspect they're concealing a prohibited item

**Prohibited items are:**

* Phones
* Knives or weapons
* Alcohol
* Illegal drugs
* Stolen items
* Tobacco and cigarette papers
* Vape equipment of any kind
* Fireworks
* Pornographic images
* Any article that the member of staff reasonably suspects has been, or is likely to be, used to:
  + Commit an offence
  + Cause personal injury or damage to property

Staff can also search for any item that is banned by the Boxing Academy’s rules.

**Who can search**

Only the headteacher or a member of school staff authorised by them can search without consent. The searcher should be the same sex as the student being searched, and another staff member must be present (if possible, they should be the same sex as well).

However, staff can search an opposite sex student and/or search without a witness present if:

* There's a risk that serious harm will be caused to a person if they don't conduct the search immediately; **and**
* It isn't reasonably practicable to summon another member of staff

**DURING A SEARCH**

**Clothing**

The searcher may not require the student to remove any clothing other than outer clothing (i.e. clothing not worn next to the skin or immediately over underwear). Intimate searches can only be conducted by a person with more extensive powers (e.g. a police officer) but will not be undertaken without a parent/carer being informed first.

**Lockers, desks and bags**

These can only be searched in the presence of the student and another member of staff, except if:

* There's a risk that serious harm will be caused to a person if they don't conduct the search immediately; **and**
* It isn't reasonably practicable to summon another member of staff

**Use of force**

Staff can use reasonable force when conducting a search for prohibited items (see the section above for a list). The Boxing Academy Physical Intervention Policy refers to this.

**CONFISCATING ITEMS**

Staff can confiscate, retain or dispose of a student's property as a disciplinary penalty, where reasonable to do so. There are ways staff should handle specific prohibited items:

1. **Weapons or items which are evidence of an offence**

Pass these on to the police as soon as possible.

1. **Alcohol, tobacco, vapes, cigarette papers, fireworks**

Either retain or dispose of these, but don't return them to the student.

1. **Controlled substances**

In most cases, deliver these to the police as soon as possible. However, staff can dispose of them if they think there is a good reason to do so. Staff will take into account the relevant circumstances and use their professional judgement to determine whether they can safely dispose of it. If they are not sure of the legal status of a substance but have reason to believe it may be a controlled drug, treat it as such.

1. **Stolen items**

If the items are valuable or illegal, deliver these to the police as soon as possible.

If they are low value, staff may return them to the owner if there is a good reason to do so or retain or dispose of them if returning them is not practicable.

1. **Pornographic images**

Dispose of the images, unless staff have reasonable grounds to suspect that their possession constitutes a specific offence (i.e. it is extreme or child pornography).

If so, deliver them to the police as soon as reasonably practicable.

**ELECTRONIC DEVICES**

If during a search staff find an electronic device, they may examine its data or files if they believe there is a good reason to do so and:

* The device is prohibited by school rules; or
* Staff reasonably suspect it has been, or is likely to be, used to:
  + Commit an offence
  + Cause personal injury or damage to property

Staff may delete data or files if they think there is a good reason to do so.

A 'good reason' to examine devices or erase data or files is if staff reasonably suspect that data or files on the device in question have been, or could be, used to:

* Cause harm
* Disrupt teaching
* Break the school rules

**Evidence related to an offence**

If staff have reason to believe that the device contains evidence in relation to an offence, staff must give the device to the police as soon as reasonably practicable. If staff search the device and find data or files related to the offence, don't delete these before handing the device over.

**REPORTING SEARCHES**

**Informing parents**

Staff do not need to inform parents before a search takes place, and staff do not need their consent to search their child. Staff should inform parents if any of the following are found:

* Alcohol
* Illegal drugs
* Potentially harmful substances

**SCREENING STUDENTS**

Students can be required to undergo additional screening by a walk-through or hand-held metal detector, even if they are not suspected of having weapons and without their consent. If a student refuses to be searched, staff may refuse to have them on the premises. This should be treated as an unauthorised absence.

**Internal records**

There is no requirement to make or keep a record of the daily routine morning searches. Any additional searches will be recorded on the school’s safeguarding system (CPOMS).