

TPAT Protocols for Searching, Screening and Confiscation

This Protocol is reviewed annually by the TPAT Behaviour Lead and Director of Secondary Education.

Section 1: Introduction

1.1 The shared view of Truro and Penwith Academy Trust is that our schools should be calm, safe and supportive environments for children, staff and school visitors. A Banned List of substances is published (alongside our Behaviour Policy) which sets out the items which students must not bring to school.

1.2 In order to support our Behaviour Policy, schools are permitted, in line with Department for Education Guidance, to search students, their bags and lockers, for banned items. All searches are carried out in accordance with this Protocol and in line with this Guidance. Using searching, screening and confiscation powers appropriately is an important way to ensure pupil and staff welfare is protected and helps schools establish an environment where everyone is safe.

1.3 Reasonable adjustments will be made to this Protocol in respect to individual needs and learning difficulties of children with SEN and disabilities.

Part 1: Searching

2.1 Searching can play a critical role in ensuring that schools are safe environments for all pupils and staff. It is a vital measure to safeguard and promote staff and pupil welfare, and to maintain high standards of behaviour through which pupils can learn and thrive. Searches are undertaken by appropriately trained staff when:

- There are reasonable grounds for the school to believe that a child may be in possession of a banned item, and in order to protect the safety of the child and members of the school community

Searches are undertaken in the best interests of the welfare of the child and other members of the school community. Searches are done in a supportive and compassionate way, with all due regard for the child's welfare. Searches are never used as a punishment or sanction.

2.2 The school's Behaviour Policy outlines the banned items for which a search can be made. This Policy is shared with students and parents annually, and is available on the school's website.

2.3 The Headteacher oversees the school's procedure to ensure it complies with this Protocol. The Headteacher will authorise appropriate members of the school staff team to undertake searches,

and will ensure they have received appropriate training to carry out a search correctly, lawfully (in line with the Protocol) and safely.

2.3 A search can be carried out if an authorised member of staff has reasonable grounds for suspecting that the student is in possession of a Banned Item, or if the pupil has agreed. Before the search is carried out, the authorised member of staff will explain to the student why they are being searched, how and where the search will be carried out, and provide an opportunity to the student to ask questions.

2.4 A search will always be carried out in a safe environment which protects the privacy and dignity of the student, such as a pastoral office where the child cannot be seen by other students. Two members of staff will always be present during a search. The member of staff conducting the search will be the same sex as the child unless there are exceptional circumstances and with the authorisation of the Headteacher.

2.5 The authorised member of staff will always seek the co-operation of the student 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. Reasons might include that they: are in possession of a prohibited item; do not understand the instruction; are unaware of what a search may involve; or have had a previous distressing experience of being searched. If a pupil continues to refuse to co-operate, the member of staff will sanction the pupil in line with the school's behaviour policy, ensuring that they are responding to misbehaviour consistently and fairly. The member of staff will ensure that the child understands the importance of the search, and the potential consequences if they do not cooperate.

The student will be supervised and kept away from other students until the search has been completed. If the student still refuses to co-operate, the authorised member of staff should seek advice from the Headteacher (or Deputy).

2.6 A member of staff may search a student's outer clothing, pockets, possessions (including bags), desks or lockers. The person conducting the search must not require the pupil to remove any clothing other than outer clothing (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).

2.7 A metal detector e.g. a wand or other appropriate device, may be used to assist with the search.

2.8 Strip searching (the removal of more than outer clothing) can only be carried out by police officers. TPAT staff do not carry out strip searching of pupils. If the Headteacher has reasonable grounds to believe that the child is in possession of a prohibited item which poses a severe risk of harm to the child or members of the school community, and either a) it would not be safe for school staff to carry out a search and confiscate the item or b) the child refuses to cooperate with a search then the school will inform the Police. Staff will always act in the best interest of the child and police involvement will only take place when absolutely necessary. The school will inform parents of police involvement in accordance with instructions from the police. For the purpose of clarity, TPAT schools do not permit strip searches of children on the school site unless instructed by the police. Under this

instruction, TPAT staff will always act in accordance with the DfE guidance to safeguard the welfare and safety of the child.

2.9 Staff will provide appropriate care and support to children following a search, whether or not a banned item is found. This support will prioritise the safeguarding of the child and members of the school community.

Section 3: Recording Searches

3.1 All searches and a record of whether or not a banned item was found, are recorded on the school's safeguarding system. This record will include

- The date time and location of the search
- Who carried out the search and the name of all adults present
- What was being searched for
- The reason for searching
- What banned items, if any, were found (including, where possible, a photographic record of the items)
- What follow up action will be taken

3.2 Records of searches will be routinely monitored by the DSL, Headteacher and TPAT Behaviour Lead. This includes monitoring of protected characteristics to ensure searching is not falling disproportionately on any particular group or groups.

Section 4: Informing Parents

4.1 Parents will always be informed, as soon as reasonably possible, of any search that has taken place. Parents will be informed about what, if anything, has been confiscated and the resulting actions the school has taken, including any sanction given.

4.2 Complaints about searching are managed using the TPAT Complaint Procedure.

Part 2: Screening

5.1 Screening is intended to ensure a calm, safe and supportive environment for all members of the school community.

5.2 Screening is the use of a walk through or hand-held metal detector, or similar device, to scan all pupils before they enter the school premises.

5.2 TPAT Schools do not currently use screening.

Part 3: Confiscation

6.1 An authorised staff member carrying out a search will confiscate any banned item that they reasonably believe to be

- A banned item
- An item that poses a risk to staff or students
- Is evidence in relation to an offence

6.2 Controlled drugs will be photographed for school records (wherever possible) and delivered to the police as soon as possible after confiscation. Where staff are unsure about the legal status of a substance and have reason to believe it may be a controlled drug, they should treat it as such.

6.3 Alcohol, tobacco, cigarette papers and related items, vapes and fireworks will be photographed (wherever possible) and disposed of by the school.

6.4 Pornographic images will be disposed unless there are reasonable grounds to suspect that the image constitutes an offence, in which case it must be delivered to the police as soon as possible. Staff must never intentionally view an indecent image of a child. Such images must never be copied, printed, shared, stored, or saved.

6.5 Stolen items should be photographed wherever possible for school records and delivered to the police. Alternatively, if there is a good reason to do so, the member of staff may return the item to the owner, retain the item, or dispose of it. Staff will use their professional judgement, taking into account the value of the item, whether the item is banned, whether retaining or returning it includes a risk of harm, whether it can be disposed of safely.

6.6 Weapons or items which are evidence of an offence must be delivered to the police as soon as possible.

6.7 Items which have been, or may have been used to commit an offence, or to cause injury or damage to property should be delivered to the police or disposed of, taking into account whether or not it is safe to dispose of the item.

6.8 Electronic devices, including mobile phones, can contain files or data which relate to an offence or which may cause harm. This includes indecent images, pornography, abusive messages, images or videos, evidence of criminal behaviour. Images, data or files may indicate a safeguarding risk and staff will have due regard to their responsibilities to safeguard children. Staff may examine data and files on a confiscated electronic device where there is a good reason to do so. Reasons include that the member of staff suspects that the data or file could be used to cause harm, undermine the safety of the school, disrupt education or commit an offence.

Where an incident may involve an indecent image of a child, the member of staff should confiscate the device and refer the incident to the DSL or DDSL. The member of staff should not intentionally view an image they suspect may be an indecent image of a child. The DSL will follow the principles set out in KCSIE.

Data or files that may constitute an offence should be referred to the Police as soon as possible.

In the event that the member of staff reasonably believes that the data or files do not constitute an offence, and are likely to continue to cause harm to any person including the student, then the member of staff may delete the file/ data. Alternatively, the member of staff may ask the pupil or parents to delete the file and take reasonable steps to ensure this action is carried out.

6.9 All other items confiscated under this policy will be safely disposed of, once suitable records have been made of the item. This is to ensure that the item does not continue to disrupt learning or the calm, safe and supportive environment of the school. Where necessary, for example in the event

that the item is of significant value, or the member of staff is unsure about how to achieve its safe disposal, the member of staff will seek advice from the Headteacher.

6.9 The school's 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, and in line with this policy.

Appendix 1: Banned Substances

TPAT places a high priority on ensuring that children are safe in school and our academies have high expectations for the conduct of all members of our school community. We take the safety of members of our school communities very seriously and for that reason, pupils are not permitted to bring the following items to school:

- Aerosol cans
- Energy drinks containing caffeine such as 'Red Bull' and 'Monster'
- Lighters or matches
- Fireworks including sparklers and poppers
- Laser pens
- Stolen items
- Tobacco, cigarettes, e-cigarettes, vaping fluid or equipment or any other nicotine replacement product or equipment associated with smoking or vaping
- Knives (including penknives), razor blades, catapults or any other weapon
- Alcohol
- Illegal drugs or 'legal highs' or any item associated with the use of illegal drugs
- Pornographic images
- Any other item that poses a risk to the safety of the school community, could cause personal injury or damage to property or could be used to commit an offence.

Prescription medicines, painkillers and other medicines must be handed for safe keeping during the school day. Please note that the conduct of our pupils is excellent and instances of pupils bringing such items in to school are extremely rare. Should a pupil be found in possession of a banned item the school's Behaviour and Exclusion policies will be used to give an appropriate sanction linked to the severity of the incident. Repeat offences will result in increasing levels of sanction.

Possession of an illegal item will result in consideration of a Permanent Exclusion.