# Searching, Screening and Confiscation Policy

# (Venn wide)

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| 1 | Owned and reviewed by | Laura Carr Director of Safeguarding, Attendance, Risk and Welfare |
| 2 | Approved by | Board of Trustees |
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| 7 | Applies to | ☒ All staff<br>☐ Support staff<br>☐ Teaching staff |
| 8 | Available on | ☒ Venn website<br>☒ School website<br>☒ SharePoint |

Venn Academy Trust (VAT) is a charitable company limited by guarantee with registration number 09662303 and Sole Member of the subsidiary company Venn Education Group (VEG). Venn Education Group is a charitable company limited by guarantee with registration number 16743074.

Venn wide policies are centrally held policies and are the direct responsibility of VAT. Venn wide policies are created by the VAT Central Team and adopted by the VEG Board.

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## 1. Introduction

### 1.1 Core purpose of Venn

The main purpose of Venn and the family of schools within this is to provide a safe, nurturing, and structured learning environment where pupils with Social, Emotional, and Mental Health (SEMH) needs can thrive. As a family of mainstream and specialist settings, we are committed to delivering a personalised and aspirational curriculum that supports both academic progress and personal development. We work closely with families, carers, and professionals to ensure that every pupil has the opportunity to build confidence, develop positive relationships, and achieve their full potential, academically, socially, and emotionally. Our approach is underpinned by strong values, consistent expectations, and a deep understanding of the individual needs of our learners. The fundamental aim is to enable pupils to function safely and successfully within the school. To ensure the safety of all school stakeholders we uphold an educational but zero tolerance approach to offensive weapons.

### 1.2 Context

Knife crime and the use of weapons is a challenge that affects all of society, and to tackle it both the Police and schools must work together with all agencies in a coordinated, wide-reaching and long-term effort, working with young people and communities vulnerable to serious violence.

Evidence shows that significant harm and a substantial number of crimes are committed where a young person is known to have been in possession of an offensive weapon. Although most of these offences have been committed outside of

school, it would be reasonable to assume that those persons were in possession of the offensive weapons during school hours and therefore, the potential for violent incidents is very real due to the vulnerability of the pupils in our schools.

## 2. Scope of the Policy

### 2.1. The aims of the Screening Policy

- To ensure suitable policies and procedures are in place for managing the possession of offensive weapons/prohibited items.
- Uphold legislation and work collaboratively with parents, external agencies and the police.
- Educate pupils around the dangers of possessing and handling weapons in and outside of school through the delivery of workshops delivered by Local Authorities, external agencies and teachers.
- Take appropriate action and sanctions to ensure the rest of the school and community understand the severity of the incident.

For the purposes of this policy, electronic devices of concern include any device capable of photographing, video recording, live streaming, audio recording, accessing the internet, or otherwise posing a safeguarding risk to children. This includes, but is not limited to:

- Mobile phones, laptops, and tablets
- Gaming consoles
- Cameras, camcorders, dictaphones and other recording devices
- Smartwatches, smart glasses, and other wearable technology

Given the wide variety of electronic devices, their diverse functionality, and their potential use as assistive technology or accessibility aids, reasonable adjustments and exemptions may be requested.

### 2.2. Responsibilities

All staff are responsible for:

- Applying school policy at all times throughout the school day to maintain order and uphold a calm and safe school environment.
- Sharing good practice and effective strategies in debriefs, shaping and improving practice throughout the school.
- Modelling the behaviour expected of the students.

- Educating pupils around the dangers of possessing and handling weapons or prohibited items.
- Safeguarding everybody on site.
- Ensuring that any threats and concerns are taken seriously and reported immediately.

All pupils are responsible for:

- Ensure they refrain from bringing any prohibited item outlined in this policy onto site.
- Refraining from making threats of violence or reference to offensive weapon use towards staff or other pupils or members of the community.

All parents/guardians are responsible for:

- Ensuring pupils are educated around the dangers of possessing and handling offensive weapons.
- Ensure their child doesn't bring prohibited items onto school sire.

## 3. Implementation of the policy

**Venns approach to ensure a weapon free site.**

### 3.1 Security Arches

In order to safeguard the welfare of everybody on our school sites, we operate security arches on key entrances in some of our school settings. These are metal detecting devices, used to reduce the risk of bladed articles or offensive weapons being brought on to site. At Marshland we do not have a security arch.

Procedure for use:

### 3.2 Screening Pupils

Where it is believed that a pupil has in their possession an item that could cause harm to themselves or others or which breaches the school expectations then the pupil may be searched. This includes having a mobile phone on their person. Other items that may breach the school expectations are cigarettes, vapes, alcohol, energy drinks, foods or items such as sweets which may be a disruption. Most searches would be conducted with the permission of the pupil, however, where there are reasonable grounds for suspecting that a pupil may have in their possession a

prohibited item the member of staff could search safely. This could mean by asking pupils to turn out their pockets, but the pupil's dignity will be considered at all times.

The member of staff must decide in each particular case what constitutes reasonable grounds for suspicion. For example, they may have heard other pupils talking about the item or they might notice a pupil behaving in a way that causes them to suspect that the pupil is concealing a prohibited item, this would take place with two members of staff in attendance. At least one of these people would be the same sex as the pupil. When searches are carried out at any of our schools within Venn we must pay particular attention to our own personal safety. Searches will be recorded using the Record of Search (appendice).

An appropriate location for the search will be found. Where possible, this will be away from other pupils. The search will only take place on the school premises or where the member of staff has lawful control or charge of the pupil, for example on a school trip.

Before carrying out a search the authorised member of staff will:

- Assess whether there is an urgent need for a search
- Assess whether not doing the search would put other pupils or staff at risk
- Consider whether the search would pose a safeguarding risk to the pupil
- Explain to the pupil why they are being searched
- Explain to the pupil what a search entails – e.g. "I will ask you to turn out your pockets and remove your scarf"
- Explain how and where the search will be carried out
- Give the pupil the opportunity to ask questions
- Seek the pupil's co-operation

Searching with consent Schools' common law powers to search:

• School staff can search pupils with their consent for any item. Also note:

• Schools are not required to have formal written consent from the pupil for this sort of search – it is enough for the teacher to ask the pupil to turn out their pockets or if the teacher can look in the pupil's bag or locker and for the pupil to agree.

• Schools should make clear in their school behaviour policy and in communications to parents and pupils what items are banned.

• If a member of staff suspects a pupil has a banned item in their possession, they can instruct the pupil to turn out their pockets or bag and if the pupil refuses, the teacher can apply an appropriate sanction as set out in the school's behaviour policy.

The authorised member of staff should 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.

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;

• have had a previous distressing experience of being searched.

3.21 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, ensuring that they are responding to misbehaviour consistently and fairly.

If the member of staff still considers a search to be necessary, but is not required urgently, they should seek the advice of the principal, designated safeguarding lead (or deputy) or a pastoral member of staff who may have more information about the pupil. During this time the pupil should be supervised and kept away from other pupils.

3.22 If the pupil still refuses to co-operate, the member of staff should assess whether it is appropriate to use reasonable force to conduct the search. A member of staff can use such force as is reasonable to search for any prohibited items identified, but not to search for items which are identified only in the school rules. See guidance on the use of reasonable force in schools. The decision to use reasonable force should be made on a case-by-case basis. The member of staff should consider whether conducting the search will prevent the pupil harming themselves or others, damaging property or from causing disorder.

3.24 It should be noted that the use of reasonable force will differ depending on whether the member of staff is searching possessions or the pupil themselves.

7 Section 550ZB(5) of the Education Act 1996. 8 Section 93(1) of the Education and Inspections Act inform- An appropriate location for the search should be found. Where possible, this should be private.

***DFE, Searching, screening and confiscation July 22***

Items that are found as a result of a search will usually be confiscated and any items brought onto the school site in contravention of the school expectations will be confiscated. These will either be passed to the police (knives, illegal drugs or will be

disposed of (alcohol) or may be retained and returned to a parent or carer at a later date).

*The power to seize and confiscate items What the law allows:*

*• Schools' general power to discipline, as circumscribed by Section 91 of the Education and Inspections Act 2006, 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 member of staff can use their discretion to confiscate, retain and/or destroy any item found as a result of a 'with consent' search so long as it is reasonable in the circumstances. Where any article is reasonably suspected to be an offensive weapon, it must be passed to the police.*

*• Staff have a defence to any complaint or other action brought against them. 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.* ***DFE, Searching, screening and confiscation – July 22***

### 3.3 Confiscation, screening and power to search:

Current legislation (education and Inspections Act 2006 and Education Act 1996) gives staff the legal provision to confiscate, retain and dispose of items from pupils so long as it is reasonable to do so and the power to search for prohibited items. The law protects staff from damage to and loss of any confiscated items provided staff have acted lawfully.

The power to search without consent is given for:

- Weapons/knives
- Alcohol
- Illegal drugs
- Stolen property
- Tobacco, vapes and cigarette papers
- Fireworks
- Pornographic images (staff will not view these images but will report to the relevant authorities)
- Any article that is likely to be used to commit offence, cause injury or damage to property
- Any item banned by the school rules.
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Sanctions for the discovery of these items will depend upon the items themselves. E.g. weapons and knives must be handed over to the Police, but in all cases Parents/Carers will be informed. Transport would be informed if offensive weapons are found or suspected. Vapes will be confiscated and handed over to the Police if

there are concerns, they contain an illegal substance, otherwise they will be disposed of securely. Staff also have the power to use reasonable force when conducting such a search without consent for the items listed above with the exception of the last item. Staff are also empowered to use reasonable force to prevent pupils committing an offence, injuring themselves or others, or damaging property and maintaining good discipline in the classroom

### 3.4 Electronic Devices

3.41 Mobile phones are not allowed on our school sites unless they are for a medical reason or safeguarding reason, please see our behaviour policy. 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.

3.42 As with all prohibited items, staff should first consider the appropriate safeguarding response if they find images, data or files on an electronic device that they reasonably suspect are likely to put a person at risk.

3.43 Staff may examine any data or files on an electronic device they have confiscated as a result of a search, if there is good reason to.

3.44 If the member of staff conducting the search suspects they may find an indecent image of a child (sometimes known as nude or semi-nude images), the member of staff should never intentionally view the image, and must never copy, print, share, store or save such images. When an incident might involve an indecent image of a child and/or video, the member of staff should confiscate the device, avoid looking at the device and refer the incident to the designated safeguarding lead (or deputy) as the most appropriate person to advise on the school's response. Handling such reports or concerns can be especially complicated and schools should follow the principles as set out in Keeping children safe in education. The UK Council for Internet Safety also provides the following guidance to support school staff and designated safeguarding leads: **Sharing nudes and semi-nudes: advice for education settings working with children and young people**.

3.45 If a member of staff finds any image, data or file that they suspect might constitute a specified offence, then they must be delivered to the police as soon as is reasonably practicable.

3.46 In exceptional circumstances members of staff may dispose of the image or data if there is a good reason to do so. In determining a 'good reason' to examine or

erase the data or files, the member of staff must have regard to the guidance issued by the Secretary of State.

3.47 In determining whether there is a 'good reason' to examine the data or files, the member of staff should reasonably suspect that the data or file on the device has been, or could be used, to cause harm, undermine the safe environment of the school and disrupt teaching, or be used to commit an offence.

3.48 In determining whether there is a 'good reason' to erase any data or files from the device, the member of staff should consider whether the material found may constitute evidence relating to a suspected offence. In those instances, the data or files should not be deleted, and the device must be handed to the police as soon as it is reasonably practicable. If the data or files are not suspected to be evidence in relation to an offence, a member of staff may delete the data or files if the continued existence of the data or file is likely to continue to cause harm to any person and the pupil and/or the parent refuses to delete the data or files themselves.

## 3.4 Guidance for discovering a pupil with a weapon.

The Police should always be informed immediately of any incidents involving offensive weapons brought onto the school site. Transport will also be updated regarding the incident with future transport arrangements requiring review. The school has a zero-tolerance stance. Parents/Carers will be contacted, and a decision will be made in line with the Suspension and Exclusion policy around a sanction, ie suspension or a safeguarding separation.

The Police can enter and search a School for an offensive weapon. The principal's permission is clearly desirable, though not a legal requirement, where, for example, if the situation is urgent.

## 3.5 Risk assessment for individual known for carrying weapons.

Formal Risk Assessments are required to be in place for individuals known to be habitual Offensive Weapons carriers (including knives) or with a known history of violence. These risk assessments are undertaken on admission to the school or after an incident involving an offensive weapon inside or outside of school. On some occasions a dynamic risk assessment will be made based on any evidence which comes to light or any intel from the Police.

## 3.6 Guidance for staff involvement where a weapon is suspected.

Due to the vulnerability of pupils within Venn the Director of Safeguarding and Regional Director must be informed of any incident involving a weapon.

The principal should give their evaluation of the seriousness of the incident (ie. in progress, threat to life, or weapon secure for collection only) and make their own judgement on the nature and immediacy of the response required. There may also be some exceptional circumstances where the principal, has been made aware that a weapon may be on school premises, decides that they need to take action and minimise risk. Where possible, members of staff should not confront a person suspected of possessing a weapon in the presence of other pupils. Preferably two or more members of appropriately authorised and trained should divert the person to a safe, secure place. In this case it may be safe to seclude the pupil, a dynamic risk assessment will always been completed and seclusion is a last resort.

Members of staff are not under any obligation to search a person themselves. In making any decision to do so, a risk assessment approach should be adopted, and it should be noted that such immediate preventive action could either prevent a potentially dangerous situation escalating or could, conversely, inflame the situation. It is considered inappropriate for short-term, volunteer, domestic and site staff or other staff to be expected to search pupils. Designated and trained staff should always be called to assess and manage any situation where an offensive weapon is suspected.

Where there are reasonable grounds to suspect that a pupil might have in their possession an offensive weapon, knife or blade, it might be appropriate for the principal or an authorised and trained member of staff, to conduct a search of that pupil or his possessions with or without the pupil's consent. Such a search may only be carried out where the member of staff and pupil are on school premises or are elsewhere and the member of staff has lawful control or charge of the pupil.

**A member of staff carrying out a search:**

- May not require a pupil to remove any clothing other than outer clothing ie. any item of clothing not being worn wholly next to the skin or immediately over a garment being worn as underwear.
- Must be of the same sex as the pupil and may carry out the search only in the presence of another member of staff.
- A pupil's possessions (including any goods over which he/she appears to have control) may not be searched except in their presence and another member of staff.
- If in the course of a search, the member of staff finds anything he/she suspects of falling within the knives and offensive weapon category or any other thing he/she suspects is evidence in relation to an offence, they must seize and retain it.

- Where the person suspected of carrying a weapon is not a registered pupil at the school, or where an incident involving a pupil takes place outside the school premises and where the pupil is not under the control/charge of the school, a search should only be undertaken by a Police Officer. Police will be called to the site.

### 3.7 Post Incident

Consideration needs to be taken of what is needed to manage the situation immediately post-incident to ensure the safety of pupils, staff and members of the public. All incidents should be reported and investigated in line with school guidelines. A review of the risk assessment(s) and consideration of the disciplinary process for the person who was found carrying an offensive weapon or knife should take place.

Support for the staff/pupils involved in the incident should be available if required. Transport will be suspended for 5 days to review the incident and access the level of risk in transport. A meeting will be organised with parent/carer and pupil to discuss the next steps.

Training

Designated staff involved in screening and searching pupils will receive appropriate training, including:

- De-escalation and conflict resolution techniques

- The lawful use of reasonable force

- Safer searching procedures

- Trauma-informed practices for SEMH pupils

Pupil and Parent Awareness

All pupils and parents are made aware of the school's screening and search procedures:

- During admissions or transitions

- Through the Behaviour Policy and school website

- Via PSHE lessons, assemblies, or review meetings

This ensures transparency and helps pupils understand their rights and responsibilities.

Equality and Inclusion

This policy will be applied fairly and consistently. Due consideration will be given to pupils with special educational needs or disabilities (SEND), protected characteristics under the Equality Act 2010, and those with trauma histories. Adjustments will be made to ensure that practice remains inclusive and appropriate for each individual context.

Monitoring and Review

All search and confiscation incidents will be logged and reviewed termly by the Senior Leadership Team. The review process ensures consistency of practice, identifies emerging risks or patterns, and informs any necessary updates to staff training or policy guidance.

Designated Staff

Only members of the school's safeguarding team or senior leadership, who are trained in appropriate protocols, may conduct or authorise a pupil search. This ensures all actions are legally compliant and handled professionally.

**Appendix**

**Legislation**- It is an offence under section 139A of the Criminal Justice Act 2003 (as inserted by section 4 of the Offensive Weapons Act 2019) to carry an offensive weapon or knife on School premises. It is amended under the Violent Crim Reduction Act 2006 to prohibit the sale of knives, axes and certain blades to people under the age of 18. It is also an offence to carry an offensive weapon or knife in a public place unless a person has a good reason or lawful authority for having the article with him. Sections 110 and 111 of the Serious Organised Crime and Police Act 2005 amend the powers of arrest available under the Police and Criminal Evidence Act (PACE) 1984 and are based on the severity of the offence. The Violent Crime Reduction Act 2006, which makes provision for members of staff to search pupils, came into force on 21 May 2007. Part 7 of the Education and Inspections Act 2006 (which came into force on 1 April 2007), sets out the responsibilities of schools in

relation to discipline and specifically deals with the powers of school staff to use reasonable force and defence where confiscation from pupils is lawful. The DfE believes that the exercising of these powers is unlikely to infringe any of the Convention rights within (the meaning of) the Human Rights Acts 1998 and that any proportionate interference would be capable of being justified for the purposes of keeping pupils and staff safe at school. A person who could prove that he had a good reason or authority for carrying a knife eg. an officer cadet, would have a general defence under the Offensive Weapons Act 1996. In addition, there are a number of special exceptions, which permit the carrying of knives: For use at work (eg. knives needed in school kitchens)

- For educational purposes (e.g. tools needed for National Curriculum Technology)
- For religious reasons (eg. a Sikh's Kirpan)
- As part of a national costume (eg. Scottish highland dress)

**Definition of an offensive weapon or knife**- Offensive weapons are defined in the Prevention of Crime Act 1953, as 'any article made or adapted for causing injury to the person; or intended by the person having it with him/her for such use by him/her'. Sections 139 and 139A of the Criminal Justice Act 1988 refer to any article which has a blade or point is sharply pointed, except for a folding pocket-knife. A folding pocket-knife is one which has a cutting edge or no more than 3 inches in length and which must be readily foldable at all times. Schools are advised that, although not covered under legislation, Venn Academy Trust bans persons carrying folding pocket-knives.

**Record of search**

| Pupil searched | Date | Time | Location | Who conducted the search? | Where prohibited items found? If so what? | Is any follow-up action required as a consequence of the search? |
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**Links to Relevant Legislation and advice**

Behaviour in schools - GOV.UK

School and college security - GOV.UK

Equality Act 2010: advice for schools - GOV.UK

Keeping children safe in education - GOV.UK

Use of reasonable force in schools - GOV.UK

Working together to safeguard children - GOV.UK

Drugs: advice for schools - GOV.UK

DFE Searching, screening and confiscation- Searching, Screening and Confiscation

- Knives Act 1997 (http://www.legislation.gov.uk/ukpga/1997/21/contents)

- Offensive Weapons Act 1996 (http://www.legislation.gov.uk/ukpga/1996/26/contents

- Violent Crime Reduction Act 2006 (http://www.legislation.gov.uk/ukpga/2006/38/contents)

- Education and Inspections Act 2006(http://www.legislation.gov.uk/ukpga/2006/40/contents)

**Other advice**

Sharing nudes and semi-nudes: advice for education settings working with children and young people - GOV.UK

Police and Criminal Evidence Act 1984 (PACE) codes of practice - GOV.UK