



# Eskdale School

## Confiscation Policy

### Governance Status

This has been formally adopted by the Governing Body and will be reviewed as required or every three years.

Review dates	By Whom	Date for Approval
May 2022	Staff and Governors	May 2022
May 2025		

### Signed by the Chairs:

Su Crossland

Christina Zanelli

## **Confiscation Policy Rationale**

We do not wish to sound negative as the vast majority of young people are delightful and accept the standards we set very readily. However, some do not and this short policy makes our stance very clear on items that are not permitted in Eskdale School. This policy has been written using advice taken from Searching, Screening and Confiscation: Advice for Headteachers, school staff and governing bodies DfE 2014 (Appendix 1). Eskdale School acknowledges its legal duty to make reasonable adjustments for disabled children and children with special educational needs (SEN), Equality Act 2010 and it fully recognises its responsibility under section 157 of the Education Act 2002 to have arrangements in place to safeguard and promote the welfare of children.

### **Search with Consent**

- Named staff (see below) may search a student for any item if the student agrees. The School will take into account the age of the child when considering consent.
- It is enough for the member of staff to ask the student to turn out his or her pockets or for the member of staff to look in the student's bag or locker and for the student to agree. They do not need written consent from the student.
- The School makes clear through the Behaviour Policy and communications to parents and student's what items are banned.
- If a member of staff suspects a student has a banned item in his/her possession, they can instruct the student to turn out his or her pockets or bag or use a hand-held metal detector (arch or wand) and if the student refuses, the teacher can apply an appropriate sanction as set out in the Behaviour Policy.
- A student refusing to co-operate with such a search raises the same kind of issues as where a student refuses to stay in a detention or refuses to stop any other unacceptable behaviour when instructed by a member of staff – in such circumstances, schools can apply an appropriate sanction.

### **Search without Consent**

- The Headteacher, and staff authorised by them (see below) have a statutory power to search students or their possessions, without consent, where they have reasonable grounds for suspecting that the student may have a prohibited item. Prohibited items are:
  - knives or weapons
  - alcohol
  - illegal drugs
  - stolen items
  - tobacco, vapes, cigarette papers and cigarettes (including e-cigarettes)
  - fireworks
  - pornographic images
  - 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 the property of, any person (including the student).
- The staff member conducting the search must be the same sex as the student being searched; and there must be a witness (also a staff member) and, if at all possible, they should be the same sex as the student being searched.
- There is a limited exception to this rule. Staff can carry out a search of a student of the opposite sex without a witness present, but only where the staff member reasonably believes 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.

Authorised staff: Paul Dixon (Acting Headteacher), Jean Pickerill, Jo Parlby, Zoe Hurworth, Jane Bradley, Andrew Bell, James Jones, Anne-Marie Scales, Andy Raw and Katy Johnson.

### **Establishing grounds for a search**

- Members of staff can only undertake a search without consent if they have reasonable grounds for suspecting that a student may have in his or her possession a prohibited item. The member of staff must decide in each particular case what constitutes reasonable grounds for suspicion. For example, they may have heard other students talking about the item or they might notice a student behaving in a way that causes them to be suspicious.
- In the exceptional circumstances, when it is necessary to conduct a search of a student of the opposite sex or in the absence of a witness, the member of staff conducting the search should bear in mind that a student's expectation of privacy increases as they get older.
- The powers allow school staff to search, regardless of whether the student is found after the search to have that item. This includes circumstances where staff suspect a student of having items such as illegal drugs or stolen property which are later found not to be illegal or stolen.
- Staff can view CCTV footage in order to make a decision as to whether to conduct a search for an item, but permission must be gained from the Principal/Headteacher.
- Searches without consent can only be carried out on the School premises or, if elsewhere, where the member of staff has lawful control or charge of the student, for example on a trip or in training settings.

### **Confiscation**

- Staff can seize any prohibited item found as a result of a search. They can also seize any item, however found, which they consider harmful or detrimental to School discipline.
- When deciding what to do with the confiscated items, staff will follow the guidelines set out in Searching, Screening and Confiscation: Advice for Headteachers, school staff and governing bodies (DfE 2014).
- The non-permitted items are as follows [NB: "(KS3/KS4)" indicates an item only applies to Key Stage 3 and 4 students; other items apply to ALL College students]:
  1. **Jewellery** other than a watch, a pair of studs or a 'sleeper' in each ear (no bigger than a 5 pence piece)
  2. **Belts** other than plain black belts
  3. **Mobile phones may be kept turned off in students' bags during the school day. They must not be used on the school site**
  4. **Music players** (rules as for mobile phones)
  5. **Chewing gum**
  6. **Aerosols (of any description)**
  7. **Cigarettes (including e-cigarettes), vapes, tobacco, lighters and matches**
  8. **Alcohol**
  9. **Any illegal or intoxicating substances**
  10. **Offensive weapons of any description**
  11. **Coats or non-uniform tops worn in the building**
  12. **Hats (worn in the building)**
  13. **Hoods**
  14. **Trainers - except for PE**
  15. **Energy drinks and other sugary drinks**
  16. **Food items being eaten outside non-permitted areas.**

Time and energy is diverted from learning by students who do not comply with these rules and expectations. A small number of students wish to ignore these rules, which is unacceptable and unfair to the great majority of students who support the high standards we expect. The law permits schools to confiscate items which are prohibited and to retain them for a reasonable length of time (or to dispose of them if appropriate and reasonable). Refusal to hand items over will be regarded as defiance and will lead to serious sanctions.

## **Our procedures for confiscation are as follows:**

**Items 1 – 5 and 11 - 14 may be confiscated, if they are seen, and these will be locked away securely. Such items may be collected by students at the end of the day, apart from mobile phones/similar electronic devices, which will only be returned if a parent/carer comes into school to collect them.** Students will have to give an undertaking that they will not repeat the offence before the item will be returned. If there is a subsequent occasion when an item has to be confiscated, it will be retained and only returned to the parent/carer. **Items 6, 7 and 8 are strictly prohibited and will be disposed of, as will food eaten outside of permitted eating areas and energy drinks. Items 9 and 10 are strictly prohibited and will lead to the involvement of the police and will not be returned. Suspicion that a student has such items is likely to lead to police involvement from the outset.**

### **Dealing with Electronic Devices (statutory guidance)**

- Where the person conducting the search finds an electronic device they may examine any data or files on the device if they think there is a good reason to do so. Following an examination, if the person has decided to return the device to the owner, or to retain or dispose of it, they may erase any data or files, if they think there is a good reason to do so.
- 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 must 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 to go against the expectation in the school’s Behaviour Policy.
  - If inappropriate material is found on the device it is up to the teacher to decide whether they should delete that material, retain it as evidence (of a criminal offence or a breach of school discipline) or whether the material is of such seriousness that it requires the involvement of the police. (Please see the ‘Sexting in Schools and Colleges Guidance in Appendix 1)

### **Guidance for Carrying Out A Search**

#### **What the law says:**

- The person conducting the search may not require the student to remove any clothing other than outer clothing.
- ‘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, gloves and scarves.
- ‘Possessions’ means any goods over which the student has or appears to have control – this includes desks, lockers and bags.
- A student’s possessions can only be searched in the presence of the student and another member of staff, except where there is a risk that serious harm will be caused to a person if the search is not conducted immediately and where it is not reasonably practicable to summon another member of staff.

#### **Also note:**

The power to search without consent enables a personal search, involving removal of outer clothing and searching of pockets; but not an intimate search going further than that, which only a person with more extensive powers (eg, a police officer) can do.

#### **Lockers and desks**

- Under common law powers, schools are able to search lockers and desks for any item provided the student agrees. Schools can also make it a condition of having a locker or desk that the student consents to have these searched for any item whether or not the student is present.
- If a student does not consent to a search (or withdraws consent having signed a consent form) then it is possible to conduct a search without consent but only for the “prohibited items” listed above.

**Use of force**

Please refer to the Use of Reasonable Force Guidance enclosed as Appendix 1 and the WSP policy: Use of Reasonable Force and Physical Restraint.

**Informing Parents**

- There is no requirement for staff to inform parents before a search
- Parents may be informed as part of the behaviour policy and procedures.
- Parents will be informed if the matter is sufficiently serious or could be potentially harmful to the student or the School.
- If a parent makes a complaint, the normal procedures for dealing with a complaint should be followed.

**Record Keeping**

There is no legal requirement for the school to keep records of searches or confiscation. However, as part of our normal procedures any such event will be recorded.

The Designated Safeguarding Lead and Prevent Strategy Lead is Mr Paul Dixon.



Department  
for Education

# Searching, screening and confiscation

## Advice for head teachers, school staff and governing bodies

January 2018

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# Summary

## About this departmental advice

This advice is intended to explain schools' powers of screening and searching pupils so that school staff have the confidence to use them. In particular, it explains the use of the power to search pupils without consent. It also explains the powers schools have to seize and then confiscate items found during a search. It includes statutory guidance which schools must have regard to.

## Expiry or review date

This advice will be kept under review and updated as necessary.

## Who is this advice for?

This advice is for:

- School leaders and school staff in all schools in England.
- For the purposes of this advice references to "maintained school" means a community, foundation or voluntary school, community or foundation special school. It also means Pupil Referral Units and non-maintained special schools.
- For the purpose of this advice references to "Academy" means Academy schools (including mainstream free schools) and Alternative Provision (AP) Academies (including AP free schools).
- Where particular provisions do not apply to a particular type of school we make this clear.

## Key points

### Searching

- School staff can search a pupil for any item if the pupil agrees.<sup>1</sup>
- Headteachers and staff authorised by them have a statutory power to search pupils or their possessions, without consent, where they have reasonable grounds for suspecting that the pupil may have a prohibited item. Prohibited items are:
  - knives or weapons
  - alcohol
  - illegal drugs
  - stolen items
  - cigarette (including e-cigarettes), vapes, tobacco and cigarette papers, lighters and matches
  - fireworks
  - pornographic images
  - 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 the property of, any person (including the pupil).
- Headteachers and authorised staff can also search for any item banned by the school rules which has been identified in the rules as an item which may be searched for.

<sup>1</sup> The ability to give consent may be influenced by the child's age or other factors

### 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.

## **Schools' obligations under the European Convention on Human Rights (ECHR)**

- Under article 8 of the European Convention on Human Rights pupils have a right to respect for their private life. In the context of these particular powers, this means that pupils have the right to expect a reasonable level of personal privacy.
- The right under Article 8 is not absolute, it can be interfered with but any interference with this right by a school (or any public body) must be justified and proportionate.
- The powers to search in the Education Act 1996 are compatible with Article 8. A school exercising those powers lawfully should have no difficulty in demonstrating that it has also acted in accordance with Article 8. This advice will assist schools in deciding how to exercise the searching powers in a lawful way.

## **Screening**

### **What the law allows:**

- Schools can require pupils to undergo screening by a walk-through or hand-held metal detector (arch or wand) even if they do not suspect them of having a weapon and without the consent of the pupils.
- Schools' statutory power to make rules on pupil behaviour<sup>2</sup> and their duty as an employer to manage the safety of staff, pupils and visitors<sup>3</sup> enables them to impose a requirement that pupils undergo screening.
- Any member of school staff can screen pupils.

<sup>2</sup> Section 89 of the Education and Inspections Act 2006 for all maintained schools, PRUs and NMSS and the Education (Independent School Standards) (England) Regulations 2010 for academy schools and alternative provision academies

<sup>3</sup> Section 3 of the Health and Safety at Work etc. Act 1974

### **Also note:**

- If a pupil refuses to be screened, the school may refuse to have the pupil on the premises. Health and safety legislation requires a school to be managed in a way which does not expose pupils or staff to risks to their health and safety and this would include making reasonable rules as a condition of admittance.
- If a pupil fails to comply, and the school does not let the pupil in, the school has not excluded the pupil and the pupil's absence should be treated as unauthorised. The pupil should comply with the rules and attend.
- This type of screening, without physical contact, is not subject to the same conditions as apply to the powers to search without consent.

## **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 his or her 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 his/her possession, they can instruct the pupil to turn out his or her pockets or bag and if the pupil refuses, the teacher can apply an appropriate punishment as set out in the school's behaviour policy.
- A pupil refusing to co-operate with such a search raises the same kind of issues as where a pupil refuses to stay in a detention or refuses to stop any other unacceptable behaviour when instructed by a member of staff – in such circumstances, schools can apply an appropriate disciplinary penalty.

## **Searching without consent**

### **What the law says:**

#### **What can be searched for?**

- Knives or weapons, alcohol, illegal drugs and stolen items; and
- Tobacco and cigarette papers, fireworks and pornographic images; and
- 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, or damage to property; and
- Any item banned by the school rules which has been identified in the rules as an item which may be searched for.

#### **1. Can I search?**

- Yes, if you are a headteacher or a member of school staff and authorised by the headteacher.

#### **2. Under what circumstances?**

- You must be the same sex as the pupil being searched; and there must be a witness (also a staff member) and, if possible, they should be the same sex as the pupil being searched.
- There is a limited exception to this rule. You can carry out a search of a pupil of the opposite sex to you and / or without a witness present, but only where you reasonably believe that there is a risk that serious harm will be caused to a person if you do not conduct the search immediately and where it is not reasonably practicable to summon another member of staff.

#### **3. When can I search?**

- If you have reasonable grounds for suspecting that a pupil is in possession of a prohibited item.

#### **Also note:**

- The law also says what must be done with prohibited items which are seized following a search.
- The requirement that the searcher is the same sex as the pupil and that a witness is present will continue to apply in nearly all searches. Where it is practicable to
- summon a staff member of the same sex as the pupil and a witness then the teachers wishing to conduct a search must do so.

#### **4. Authorising members of staff**

- Headteachers should decide who to authorise to use these powers. There is no requirement to provide authorisation in writing.
- Staff, other than security staff, can refuse to undertake a search. The law states that headteachers may not require anyone other than a member of the school security staff to undertake a search.
- Staff can be authorised to search for some items but not others; for example, a member of staff could be authorised to search for stolen property, but not for weapons or knives.

- A headteacher can require a member of the school's security staff to undertake a search.
- If a security guard, who is not a member of the school staff, searches a pupil, the person witnessing the search should ideally be a permanent member of the school staff, as they are more likely to know the pupil.

### **5. Training for school staff**

- When designating a member of staff to undertake searches under these powers, the headteacher should consider whether the member of staff requires any additional training to enable them to carry out their responsibilities.

### **6. Establishing grounds for a search**

- Teachers can only undertake a search without consent if they have reasonable grounds for suspecting that a pupil may have in his or her possession a prohibited item. The teacher 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.
- In the exceptional circumstances when it is necessary to conduct a search of a pupil of the opposite sex or in the absence of a witness, the member of staff conducting the search should bear in mind that a pupil's expectation of privacy increases, as they get older.
- The powers allow school staff to search regardless of whether the pupil is found after the search to have that item. This includes circumstances where staff suspect
- a pupil of having items such as illegal drugs or stolen property which are later found not to be illegal or stolen.
- School staff may wish to consider utilising CCTV footage in order to make a decision as to whether to conduct a search for an item.

### **7. Searches for items banned by the school rules**

- An item banned by the school rules may only be searched for under these powers if it has been identified in the school rules as an item that can be searched for.
- The school rules must be determined and publicised by the headteacher in accordance with section 89 of the Education and Inspections Act 2006 in maintained schools. In the case of academy schools and alternative provision academies, the school rules must be determined in accordance with the School Behaviour (Determination and Publicising of Measures in Academies) Regulations 2012. Separate advice on school rules is available in 'Behaviour and Discipline – advice for headteachers and school staff' via the link under Associated Resources.
- Under section 89 and the School Behaviour (Determination and Publicising of Measures in Academies) Regulations 2012 the headteacher must publicise the school behaviour policy, in writing, to staff, parents and pupils at least once a year.

### **8. Location of a search**

- Searches without consent can only be carried out on the school premises or, if elsewhere, where the member of staff has lawful control or charge of the pupil, for example on school trips in England or in training settings.
- The powers only apply in England.

### **During the search**

### **9. Extent of the search – clothes, possessions, desks and lockers**

### **What the law says:**

- The person conducting the search may not require the pupil to remove any clothing other than outer clothing.
- '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; gloves and scarves.
- 'Possessions' means any goods over which the pupil has or appears to have control – this includes desks, lockers and bags.
- A pupil's possessions can only be searched in the presence of the pupil and another member of staff, except where there is a risk that serious harm will be caused to a person if the search is not conducted immediately and where it is not reasonably practicable to summon another member of staff.

**Also note:**

- The power to search without consent enables a personal search, involving removal of outer clothing and searching of pockets; but not an intimate search going further than that, which only a person with more extensive powers (e.g. a police officer) can do.

**10. Lockers and desks**

- Under common law powers, schools are able to search lockers and desks for any item provided the pupil agrees. Schools can also make it a condition of having a locker or desk that the pupil consents to have these searched for any item whether or not the pupil is present.
- If a pupil does not consent to a search (or withdraws consent having signed a consent form) then it is possible to conduct a search without consent but only for the "prohibited items" listed above.

**11. Use of force**

- Members of staff can use such force as is reasonable given the circumstances when conducting a search for knives or weapons, alcohol, illegal drugs, stolen items, tobacco and cigarette papers, fireworks, pornographic images or articles that have been or could be used to commit an offence or cause harm. Such force cannot be used to search for items banned under the school rules.
- Separate advice is available on teachers' power to use force – see Associated Resources section below for a link to this document

**After the search**

**12. The power to seize and confiscate items – general**

**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.

**Also note:**

- 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.

### 13. Items found as a result of a 'without consent' search

#### What the law says:

- A person carrying out a search can seize anything they have reasonable grounds for suspecting is a prohibited item or is evidence in relation to an offence.
- Where a person conducting a search finds alcohol, they may retain or dispose of it. This means that schools can dispose of **alcohol** as they think appropriate but this should not include returning it to the pupil.
- Where they find **controlled drugs**, these must be delivered to the police as soon as possible but may be disposed of if the person thinks there is a good reason to do so.
- Where they find **other substances** which are not believed to be controlled drugs these can be confiscated where a teacher believes them to be harmful or detrimental to good order and discipline. This would include, for example, so called 'legal highs'. Where staff suspect a substance may be controlled they should treat them as controlled drugs as outlined above.
- Where they find **stolen items**, these must be delivered to the police as soon as reasonably practicable – but may be returned to the owner (or may be retained or disposed of if returning them to their owner is not practicable) if the person thinks that there is a good reason to do so.
- Where a member of staff finds tobacco or cigarette papers they may retain or dispose of them. As with alcohol, this means that schools can dispose of tobacco or cigarette papers as they think appropriate but this should not include returning them to the pupil.
- Fireworks found as a result of a search may be retained or disposed of but should not be returned to the pupil.
- If a member of staff finds a pornographic image, they may dispose of the image unless they have reasonable grounds to suspect that its possession constitutes a specified offence (i.e. it is extreme or child pornography) in which case it must be delivered to the police as soon as reasonably practicable.
- Where an article that has been (or is likely to be) used to commit an offence or to cause personal injury or damage to property is found it may be delivered to the police or returned to the owner. It may also be retained or disposed of.
- Where a member of staff finds an item which is banned under the school rules they should take into account all relevant circumstances and use their professional judgement to decide whether to return it to its owner, retain it or dispose of it.
- Any weapons or items which are evidence of an offence must be passed to the police as soon as possible.
- 14. Statutory guidance on the disposal of controlled drugs and stolen items
- It is up to the teachers and staff authorised by them to decide whether there is a good reason not to deliver stolen items or controlled drugs to the police. In determining what is a "good reason" for not delivering controlled drugs or stolen items to the police the member of staff must have regard to the following guidance issued by the Secretary of State:
  - In determining what is a 'good reason' for not delivering controlled drugs or stolen items to the police, the member of staff should take into account all relevant circumstances and use their professional judgement to determine whether they can safely dispose of a seized article.
  - Where staff are unsure as to the legal status of a substance and have reason to believe it may be a controlled drug they should treat it as such.
  - With regard to stolen items, it would not be reasonable or desirable to involve the police in dealing with low value items such as pencil cases. However, school staff
  - may judge it appropriate to contact the police if the items are valuable (iPods/laptops) or illegal (alcohol/fireworks).

## **15. Statutory guidance for dealing with electronic devices**

- Where the person conducting the search finds an electronic device that is prohibited by the school rules or 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 prohibited by the school rules or 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 that is prohibited by the school rules 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.<sup>4</sup>
- 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.
- All school staff should be aware that behaviours linked to sexting put a child in danger. Governing bodies should ensure sexting and the school's approach to it is reflected in the child protection policy. The UK Council for Child Internet Safety
- (UKCCIS) Education Group has recently published the advice - sexting in schools and colleges - responding to incidents and safeguarding young people

### **Also note:**

- Teachers should also take account of any additional guidance and procedures on the retention and disposal of items that have been put in place by the school.

<sup>4</sup> Section 62 of the Coroners and Justice Act 2009 defines prohibited images of children. Section 63 of the Criminal Justice and Immigrations Act 2008 defines extreme pornographic images.

## **16. 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.
- There is no legal requirement to make or keep a record of a search.
- Schools should inform the individual pupil's parents or guardians where alcohol, illegal drugs or potentially harmful substances are found, though there is no legal requirement to do so.
- Complaints about screening or searching should be dealt with through the normal school complaints procedure.

### **Further sources of information Associated resources (external links)**

- Use of Reasonable Force - advice for headteachers, staff and governing bodies Behaviour and Discipline in Schools
- Behaviour and Discipline in Schools - advice for head teachers and school staff
- Information Commissioner for advice on the Data Protection Act
- Keeping children safe in education statutory guidance for schools and colleges
- UK Council for Child Internet Safety- UKCCIS Sexting in schools and colleges - responding to incidents and safeguarding young people

### **Legislative links**

- The Education Act 1996
- Education and Inspections Act 2006
- Education (Independent School Standards) (England) Regulations 2010
- The Schools (Specification and Disposal of Articles) Regulations 2012
- School Behaviour (Determination and Publicising of Measures in Academies) Regulations 2012
- Health and Safety at Work etc Act 1974

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