

## **Screening, Searching and Confiscation**

Please refer to the DfE guidance 'Screening, Searching and Confiscation. Advice for head teachers, staff and governing bodies'. In addition to the practice identified in the DfE guidance, Delta Academies also ban the following items and as a result are able to search students for them:

- Any item brought into the Academy with the intention of the item being sold or passed on to other students which, in the Principal's opinion, will cause disruption to the Academy or be detrimental to Academy practice.

### **Confiscation**

- Academy 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.
- Staff should hand the confiscated item to the relevant member of support staff, reception, etc., as soon as possible and complete the necessary information to identify the item, the date it was confiscated, the name of the student and the member of staff's name. Staff must not give the confiscated item to another student to hand in and must not leave the item in an unsecure area at any time.
- Any item which staff consider to be dangerous or criminal i.e. drugs must be brought to the attention of a senior member of staff immediately.
- Items confiscated by the Academy can be collected by parent/carers except where the Academy has chosen to dispose of the confiscated items, e.g. cigarettes, alcohol, lighters. Students cannot collect any item themselves until the end of the half-term period i.e.: if a student has their mobile phone confiscated then their parent/carer can collect the phone that evening or a subsequent day. A student, however, cannot collect their phone for themselves until the end of the day on the last day of that half-term.
- The Academy's general power to discipline, as set out in Section 91 of the Education and Inspections Act 2006, enables a member of staff to confiscate, retain or dispose of a student's property as a disciplinary penalty, where reasonable to do so.
- The Principal will use their discretion to confiscate, retain and/or destroy any item found as a result.
- Electronic equipment, jewellery and other expensive items will be confiscated and held by the Academy for a period of one year. If, at the end of the year, the item has not been reclaimed then the Academy reserves the right to destroy the item.

- Where alcohol has been confiscated the Academy will retain or dispose of it. This means that the Academy can dispose of alcohol as they think appropriate (or return it to a parent/carer but this should not include returning it to the student).
- Where the Academy finds controlled drugs, these must be delivered to the police as soon as possible but may be disposed of if the Principal thinks there is a good reason to do so.
- Where the Academy finds 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 Principal 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 the Academy can dispose of tobacco or cigarette papers as they think appropriate but this should not include returning them to the student.
- Fireworks found as a result of a search may be retained or disposed of but should not be returned to the student.
- If a member of staff finds a pornographic image, they may dispose of the image unless 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. Images found on a mobile phone or other electronic device can be deleted unless it is necessary to pass them to the police or to retain the image whilst the Academy carries out its own investigation.
- Where an article that has been (or could 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 Academy 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 a serious offence must be passed to the police as soon as possible or retained whilst the Academy carries out its own investigation.