



Policy Title:	SEARCH POLICY	
Author:	The Head	
Date of most recent review:		June 2026
Date of next review:		June 2027

Policy statement

This policy has been written with reference to the Department for Education's Searching, Screening and Confiscation in Schools guidance, updated July 2023, and the statutory Mobile Phones in Schools guidance, updated June 2026. It should also be read alongside the School's Behaviour Policy, Safeguarding and Child Protection Policy, Online Safety Policy and Mobile Phone Policy.

Aims

It is expected that pupils at Duke of Kent School will cooperate with supervising adults during investigations and enquiries, such that searches will normally only be necessary in exceptional circumstances.

The purpose of this policy is to ensure that any search or confiscation is conducted lawfully, reasonably, proportionately and with due regard for the dignity, privacy and welfare of the pupil.

The policy sets out the principles and procedures by which searches of pupils, their possessions and School property should be conducted.

I. General Principles

I.1 The School has the statutory power to search pupils and their possessions without consent where there are reasonable grounds for suspecting that the pupil may have a prohibited item or an item which the School's Behaviour Policy identifies as an item that may be searched for.

I.2 Prohibited items include:

- knives and weapons;

- alcohol;
- illegal drugs;
- stolen items;
- tobacco and cigarette papers;
- 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 or damage to property; and
- any other items identified in the School's Behaviour Policy as prohibited or as items that may be searched for.

1.3 The decision to search should be based on reasonable grounds and the search should be proportionate to the circumstances, taking into account the nature and seriousness of the suspected item or behaviour.

1.4 Before carrying out a search, the member of staff should consider whether the search is necessary and whether there are less intrusive ways of resolving the matter.

1.5 Pupils have a right to respect for their private life and a reasonable expectation of personal privacy. Any interference with this right must be justified and proportionate.

1.6 Searches should normally be carried out by a member of staff authorised by the Head. The Head may authorise other members of staff to conduct searches in accordance with the School's procedures.

1.7 A search should normally be conducted by two members of staff. Where possible, at least one member of staff should be of the same sex as the pupil. Searches must be conducted with due regard to the pupil's dignity and welfare.

1.8 A search should not involve the removal of more clothing than is reasonably necessary. An intimate search must never be carried out by a member of School staff. If an intimate search is considered necessary, the matter should be referred to the police or other appropriate professional.

1.9 The School will make reasonable adjustments where necessary for pupils with disabilities or additional needs. Staff should take account of a pupil's individual circumstances, including SEND, when deciding how and whether a search should be conducted. The DfE's mobile phone guidance specifically requires schools to consider reasonable adjustments for disabled pupils.

2. Search of a Pupil or Their Personal Property

2.1 Where a member of staff has reasonable grounds for suspecting that a pupil is carrying a prohibited item, or another item which the School's Behaviour Policy identifies as an item that may be searched for, the School may search the pupil or their possessions without the pupil's consent.

A pupil should normally be asked to cooperate with the search and should be given an opportunity to explain the circumstances before the search takes place.

2.2 The pupil should normally be present when their personal property, such as a bag, pencil case or other belongings, is searched.

2.3 A search should normally be carried out by two members of staff, wherever practicable, and should be conducted in the most sympathetic, thorough and efficient manner possible, with due attention to the dignity and privacy of the pupil.

2.4 Staff should explain to the pupil why the search is being conducted and what they are looking for, unless there is a good reason not to do so.

2.5 A search of a pupil's possessions may include a search of their bag, locker or other personal property. Staff may ask the pupil to remove outer clothing, such as coats, jackets, hats or shoes, where this is reasonable and necessary.

2.6 Staff must not conduct an intimate search. Any search which would require the removal of underwear or involve searching intimate body areas must be referred to the police or another appropriate authority.

2.7 If an item is found, staff should record what was found and, where relevant, where it was found.

2.8 The pupil should be given an opportunity to explain the circumstances surrounding the item. Any significant explanation or admission should be recorded accurately.

2.9 The School will normally inform the pupil's parents/carers when a search has taken place and of the outcome. However, the decision to inform parents/carers will take account of the circumstances, including safeguarding considerations and whether doing so could place the pupil at greater risk.

2.10 Where a search reveals an item which may constitute a criminal offence or presents a serious risk to pupils or staff, the Head or a member of the Senior Leadership Team will determine whether the police or other appropriate agency should be contacted.

3. Search of School Property

3.1 The School may search School property without the consent of the pupil. This includes, for example:

- lockers;
- desks;
- cupboards;
- storage areas;
- other School-owned or School-controlled property.

3.2 Where practicable, the pupil should be informed that their School property is being searched and given an opportunity to be present.

3.3 School property may be searched in the pupil's absence where this is reasonably necessary. Locked storage may be opened where there are reasonable grounds for believing that it contains a prohibited or unauthorised item.

3.4 The School will normally inform the pupil and their parents/carers that a search has taken place and, where appropriate, the outcome.

3.5 Where a search identifies an item which may constitute a criminal offence or poses a serious risk, the Head or a member of the Senior Leadership Team will determine whether the police should be contacted.

4. Where a Pupil Refuses to Cooperate

4.1 Staff should seek to encourage the pupil to cooperate and should explain why the search is considered necessary.

4.2 A pupil's refusal to consent does not, in itself, prevent a lawful search where the School has the statutory power to conduct the search.

4.3 Where a pupil refuses to cooperate with a search, the Head, Deputy Head or other authorised senior member of staff should be informed.

4.4 The School may take appropriate disciplinary action where a pupil refuses to cooperate with a lawful and reasonable request to search, in accordance with the Behaviour Policy.

4.5 Where there is an immediate risk to the safety of the pupil or others, or where there is a reasonable suspicion of a serious offence, the School may contact the police.

5. Confiscation of Items

5.1 School staff can confiscate any item found as a result of a search if they have reasonable grounds for suspecting that the item:

- is prohibited;
- is likely to cause harm;
- has been, or is likely to be, used to commit an offence;
- is likely to cause personal injury or damage to property; or
- is prohibited or unauthorised under the School's Behaviour Policy.

5.2 Items confiscated will normally be dealt with in accordance with the School's Behaviour Policy.

5.3 Unauthorised items may be returned to the pupil, parent/carer or other appropriate person, depending on the nature of the item and the circumstances.

5.4 Items which are illegal, suspected to be stolen, or which may constitute evidence of a criminal offence may be retained and/or handed to the police.

5.5 Where a confiscated item is potentially harmful or illegal, staff should not unnecessarily handle or examine it and should seek advice from the Head or police where appropriate.

6. Digital Devices and Mobile Phones

6.1 The School may search an electronic device where the School has reasonable grounds for suspecting that it contains material which is prohibited, constitutes evidence of an offence, or is relevant to a breach of the School's Behaviour, Mobile Phone or Online Safety Policy.

The DfE guidance confirms that schools have powers to search electronic devices, including mobile phones, and that parental consent is not required for such a search.

6.2 Any search of a digital device should be necessary, proportionate and limited to what is reasonably required to establish whether a relevant offence or breach of School rules has occurred.

6.3 Staff should not routinely search the contents of a device simply because it has been confiscated.

6.4 Where a device contains material which may constitute a criminal offence, staff should preserve the evidence where appropriate and seek advice from the Head/DSL and, where necessary, the police.

6.5 Particular care must be taken where a device may contain nude or semi-nude images of a child or young person. Staff should not copy, forward or unnecessarily view such material and should follow the School's safeguarding procedures and the DfE guidance on sharing nudes and semi-nudes.

7. Mobile Phones

7.1 Duke of Kent School will operate a mobile phone policy which prohibits the use of mobile phones throughout the school day, subject to clearly defined exceptions and reasonable adjustments.

The School's approach will comply with the DfE's statutory Mobile Phones in Schools guidance, which applies to independent schools and which schools should follow from 1 September 2026.

7.2 Mobile phones and similar devices may be identified in the School's Behaviour Policy as items that may be searched for.

7.3 Where there are reasonable grounds to suspect that a pupil has a mobile phone or other prohibited device in breach of the School's policy, authorised staff may search the pupil or their possessions in accordance with this policy.

7.4 Any arrangements for pupils who require access to a mobile phone because of medical, disability, safeguarding or other exceptional circumstances will be considered on an individual basis and appropriate reasonable adjustments will be made where required.

7.5 The School's detailed arrangements for the possession, storage, use and confiscation of mobile phones are set out in the Mobile Phone Policy.

8. Recording and Reporting Searches

8.1 A record should be made of any significant search. The record should include, where appropriate:

- the date, time and location;
- the reason for the search;
- the name of the pupil;
- the names of staff present;
- the nature of the search;
- what was found;
- where the item was found;
- any relevant explanation provided by the pupil;
- action taken following the search; and
- whether parents/carers or the police were informed.

8.2 Records should be factual, objective and contemporaneous wherever possible.

8.3 Records should be passed to the Head, Deputy Head or relevant Head of Section and retained in accordance with the School's record-keeping and data protection procedures.

Legislative and Guidance References

- Department for Education, Searching, Screening and Confiscation in Schools, updated July 2023.
- Department for Education, Mobile Phones in Schools, updated June 2026.
- Department for Education, Behaviour in Schools, February 2024.
- Department for Education, Keeping Children Safe in Education, current edition.
- Department for Education, Sharing nudes and semi-nudes: advice for education settings, updated March 2024.
- Equality Act 2010.
- Education Act 1996 and Education Act 2011, as applicable.