Policy Title:	SEARCH POLICY
Author:	The Head
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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.

The policy also explains the School's use of routine compliance checks, which are behavioural measures requiring pupils to display the contents of their possessions for visual inspection by a member of staff. Routine compliance checks are distinct from statutory searches carried out under the School's legal search powers.

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1. General Principles

1.1 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.

1.2 Prohibited items include:

- knives and weapons;
- alcohol;
- illegal drugs;
- stolen items;
- Tobacco, Nicotine substances, vapes 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. Routine Compliance Checks of Pupils

2.1 The School may, where it is considered necessary to maintain a safe, orderly and disciplined environment, require pupils to participate in routine or random compliance checks. These checks are intended to deter the possession of prohibited or unauthorised items, promote compliance with School rules and reduce the need for more intrusive searches.

Routine compliance checks form part of the School's Behaviour Policy and are distinct from a statutory search undertaken under the School's search powers.

2.2 Routine compliance checks are behavioural measures requiring pupils to display the contents of their own possessions for visual inspection by a member of staff.

Compliance checks may include requiring pupils, individually or in groups, to:

- open bags and display their contents;
- empty the contents of coat, blazer, trouser, skirt or other external pockets;
- empty the contents of internal and external pockets of bags;
- remove outer clothing, such as coats or jackets, where appropriate; and
- present items for visual inspection by a member of staff.

Throughout a compliance check, pupils will remain responsible for handling and displaying the contents of their own pockets and bags.

Staff will not place their hands into a pupil's clothing or pockets, physically search a pupil or search inside possessions unless the statutory conditions for a search under this policy are met.

2.3 Routine compliance checks may be authorised by the Head, Deputy Head, Head of Section or another member of the Senior Leadership Team.

Compliance checks may be undertaken:

- routinely;
- on a random basis;
- in response to intelligence or emerging concerns;
- following incidents involving prohibited or unauthorised items; or
- where necessary to support the School's Behaviour Policy, Mobile Phone Policy or safeguarding arrangements.

2.4 Compliance checks will be conducted respectfully, proportionately and with due regard to pupils' dignity, welfare and privacy.

Where reasonably practicable:

- pupils will be informed of the purpose of the compliance check;
- checks will be carried out consistently for all pupils within the selected group;

- staff will encourage pupils' cooperation throughout; and
- staff will minimise handling of pupils' personal belongings.

The School will seek to ensure that compliance checks are carried out in a manner that is fair, transparent and proportionate to the circumstances.

2.5 Where a compliance check identifies a prohibited or unauthorised item, the item may be confiscated in accordance with this policy, the Behaviour Policy or any other relevant School policy.

Where the circumstances give rise to reasonable grounds for suspecting that a pupil is concealing a prohibited or searchable item on their person or within their possessions, an authorised member of staff may proceed to a statutory search in accordance with **Section 3** of this policy.

2.6 Pupils are expected to comply with reasonable instructions issued by members of staff.

Where a pupil refuses to participate in a routine compliance check, staff should seek to understand the reasons for the refusal and encourage cooperation.

A refusal does not, of itself, justify a statutory search. However, the circumstances surrounding the refusal, together with any other relevant information, may contribute to reasonable grounds for suspicion where appropriate.

A refusal to comply with a reasonable instruction may be addressed under the School's Behaviour Policy.

Before any decision is taken to undertake a statutory search, the Head, Deputy Head or another authorised senior member of staff should be consulted wherever reasonably practicable.

2.7 When planning or conducting compliance checks, the School will have regard to its safeguarding duties and its obligations under the Equality Act 2010.

Reasonable adjustments will be made where appropriate for pupils with disabilities, special educational needs or other individual circumstances. Staff will also take account of any relevant safeguarding concerns or vulnerabilities.

Compliance checks will be carried out fairly, consistently and without unlawful discrimination.

2.8 The School will inform pupils and parents, through its Behaviour Policy, Search Policy and Mobile Phone Policy, that routine or random compliance checks may be undertaken as part of the School's arrangements for maintaining good order, discipline, safeguarding and the safety and welfare of the School community.

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3. Search of a Pupil or Their Personal Property

3.1 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.

3.2The pupil should normally be present when their personal property, such as a bag, pencil case or other belongings, is searched.

3.3 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.

3.4 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.

3.5 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.

3.6 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.

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

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

3.9 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.

3.10 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.

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4. Search of School Property

4.1 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.

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

4.3 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.

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

4.5 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.

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5. Where a Pupil Refuses to Cooperate

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

5.2 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.

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

5.4 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.

5.5 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.

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6. Confiscation of Items

6.1 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.

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

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

6.4 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.

6.5 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.

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7. Digital Devices and Mobile Phones

7.1 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.

7.2 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.

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

7.4 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.

7.5 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.

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8. Mobile Phones

8.1 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.

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

8.3 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.

8.4 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.

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

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9. Recording and Reporting Searches

9.1 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.

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

9.3 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.