

Electronic Devices: Searching, Screening and Confiscation Policy



**Caslon Primary Community School, Beecher
Bear Daycare and Nursery, Beech Tree SEMH
Base and Tree Acre (Early Years Inclusion Hub)**

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1. Introduction

The increasing use of electronic devices by children and young people means that schools must have clear, robust policies for searching, screening, confiscating, and examining such devices. Part 2 of the Education Act 2011 (Discipline) introduced changes to the powers available to schools to search pupils, and the DfE's guidance on Searching, Screening and Confiscation (July 2022) provides detailed advice for headteachers and school staff.

This policy sets out the school's approach to searching for and confiscating electronic devices, examining data stored on them, and where appropriate, deleting data. It ensures that the school's practice is lawful, proportionate, and consistent with safeguarding duties under Keeping Children Safe in Education 2026 (KCSIE).

This policy should be read in conjunction with the school's Online Safety Policy, Behaviour Policy, and Child Protection and Safeguarding Policy.

2. Legal Framework

Legislation

- Education Act 1996 (Section 550ZA and 550AA)
- Education Act 2011 (Part 2 – Discipline)
- Education and Inspections Act 2006 (Section 89)
- Protection of Freedoms Act 2012
- Data Protection Act 2018 and UK GDPR
- Voyeurism (Offences) Act 2019

Statutory Guidance

- DfE (2022) 'Searching, Screening and Confiscation: Advice for Schools'
- DfE (2025) 'Keeping Children Safe in Education 2025'
- DfE (2026) 'Mobile Phones in Schools'
- UKCIS 'Sharing Nudes and Semi-Nudes: Advice for Education Settings'

3. Mobile Phones in School

In line with the DfE's guidance on mobile phones in schools (updated January 2026), the school operates as a mobile-phone-free environment by default. Pupils must not have access to mobile phones at any point during the school day, including during lessons, break times, and lunchtimes.

The headteacher will determine the specific arrangements for the school, which may include:

- Banning mobile phones from the school premises entirely.
- Collecting mobile phones on arrival for secure storage during the school day.
- Requiring phones to be switched off and stored in bags or lockers.

Exceptions may be made for specific pupils with medical conditions or other identified needs, as determined by the headteacher. Any exceptions must be documented and aligned with safeguarding responsibilities.

Items banned under the school rules are determined and publicised by the headteacher in accordance with Section 89 of the Education and Inspections Act 2006.

4. Authorised Staff

The headteacher has authorised the following staff to carry out searches for and of electronic devices, and to examine and delete data or files on those devices:

Name	Role
Lynnette Holden-Gough	Headteacher
Dani Garrett	Deputy headteacher

Name	Role
Ollie Monk	Assistant Headteacher
Megan Hebbron	Senior Leader

The headteacher may authorise additional staff members in writing in advance of any search, subject to appropriate training.

5. Searching

5.1 Searching with Consent

Authorised staff may search a pupil with the pupil's consent for any item.

5.2 Searching Without Consent

Authorised staff may search a pupil without consent for:

- **Prohibited items** (as defined in Section 550AA of the Education Act 1996): knives or weapons; alcohol; illegal drugs; stolen items; tobacco, cigarettes, 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, cause personal injury, or damage property.
- **Items banned by school rules** that have been identified in the school rules as items that may be searched for, including personal electronic devices where their use breaches the school's policy.

5.3 Conducting a Search

When conducting a search, authorised staff must:

- Have reasonable grounds for suspecting the pupil is in possession of a prohibited or banned item.
- Take reasonable steps to verify the ownership of any device before searching.
- Ensure the member of staff conducting the search is the same gender as the pupil.
- Ensure a witness (also a staff member) is present, who should also be the same gender as the pupil where possible.
- Not conduct searches in public places such as occupied classrooms.
- Not require the pupil to remove any clothing other than outer clothing (hats, shoes, boots, coats, blazers, jackets, gloves, and scarves).

Limited Exception

A search may be conducted of a pupil of the opposite gender, and without a witness, only where the member of staff reasonably believes that there is a risk of serious harm to a person if the search is not conducted immediately, and it is not reasonably practicable to summon another member of staff.

5.4 Searching Possessions

'Possessions' includes any goods over which the pupil has or appears to have control, including desks, lockers, and bags. A pupil's possessions can only be searched in the presence of the pupil and another staff member, except where there is a risk of serious harm if the search is not conducted immediately.

5.5 Use of Force

Important: Reasonable force may be used when searching for items prohibited by law (Section 550ZA). Reasonable force must not be used to search for items that are only banned under the school rules.

6. Examining Electronic Devices

The DfE's Searching, Screening and Confiscation guidance (2022) states that staff may examine data or files on a confiscated electronic device if there is a good reason to do so. A 'good reason' exists where the member of staff reasonably suspects that the data or file:

- Poses a risk to staff or pupils.
- Is prohibited, or is an item identified in the school rules for which a search can be made.

- Is evidence in relation to an offence.

The examination must go only as far as is reasonably necessary to establish the facts of the incident. Any further intrusive examination of personal data may expose the school to legal challenge.

6.1 Indecent Images

Critical safeguarding requirement: If a member of staff suspects they may find an indecent image of a child (including nude or semi-nude images):

- The staff member must never intentionally view the image.
- The staff member must never copy, print, share, store, or save such images.
- The device must be confiscated immediately.
- The incident must be referred to the DSL (or deputy) without delay.
- The DSL will follow the UKCIS guidance on sharing nudes and semi-nudes and the school's safeguarding procedures.
- Where the image may constitute a specified offence, the device must be delivered to the police as soon as is reasonably practicable.

7. Deleting Data

A member of staff may delete data or files from a confiscated device if they think there is a good reason to do so. In determining a good reason, the member of staff must consider:

- Whether the material may constitute evidence relating to a suspected offence. If so, the data must not be deleted and the device must be handed to the police.
- Whether the continued existence of the data is likely to cause harm to any person.
- Whether the pupil and/or parent has refused to delete the data themselves.

A record must be kept of the reasons for the deletion of any data or files, including the date, the name of the staff member, and a description of the content deleted. This record supports the school's ability to respond to complaints or legal challenges.

8. Confiscation and Return

Confiscated devices must be:

- Stored securely to prevent loss, damage, or unauthorised access.
- Returned to the pupil or parent/carer as soon as is reasonable, unless the device is being retained as evidence.

Staff are reminded of the need to ensure the safekeeping of confiscated devices to avoid compensation claims.

9. SEND and Accessibility Considerations

When applying this policy, staff must consider the needs of pupils with special educational needs and disabilities (SEND):

- Medical alert devices or assistive technology required by a pupil must be exempt from confiscation where they are essential to the pupil's health or learning.
- Reasonable adjustments must be made for pupils with SEND, in line with the Equality Act 2010.
- The school's SENCO should be consulted where a search or confiscation involves a pupil with SEND.
- Individual arrangements for pupils who need to carry devices for specific needs must be documented.

10. Appeals

Where a pupil or parent/carer wishes to challenge a decision to search, confiscate, examine, or delete data:

- The concern should be raised with the headteacher in the first instance.
- The headteacher will review the actions taken and the reasons for them.
- If the matter is not resolved, the school's complaints procedure may be followed.
- A record of all appeals and their outcomes will be maintained.

11. Training

- All staff will be made aware of this policy at induction and at regular intervals.
- Staff authorised to conduct searches and examine devices must receive specific training for this role.
- Training must include guidance on judging whether material is inappropriate or illegal.
- Senior leaders should receive additional training to support decisions about the handling of illegal material.

12. Recording and Monitoring

The designated responsible person will ensure that full records are kept of all incidents involving:

- Searches for electronic devices.
- Examination of data on electronic devices.
- Deletion of data from electronic devices.
- Confiscation and return of devices.

These records will be reviewed by the Safeguarding Governor at regular intervals (at least once per year).

Records should be maintained on the school's safeguarding recording system (e.g. CPOMS) and will inform the annual review of this policy and the school's online safety practices.

13. Review

This policy will be reviewed annually by the headteacher and governors, and in response to:

- Changes in DfE guidance or legislation.
- Incidents requiring a review of procedures.
- Evidence from records and monitoring.