

Drugs and other Prohibited Items Policy

NEWREFLEXIONS
Where every child matters

This policy should be read with reference to the New Reflexions drugs and substances procedures, and the school Mobile Phone Policy and Online Safety Policy.

Definition of Drugs:

In this policy the use of the term drug refers to any substance which when absorbed into the body, alters normal bodily function. In this process the drug may change the way a person feels, thinks or behaves.

Prescription drugs may be on school premises and in this case the Medication Policy should be referred to.

Definition of Prohibited Items:

- knives or weapons
- alcohol
- illegal drugs
- stolen items
- tobacco items and vapes
- 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).

In line with the school Mobile Phone Policy, mobile phones are also prohibited items, unless there is prior agreement for a student to have their mobile phone with them during the school day. Please refer to the Mobile Phone policy for further information about mobile phone management.

School Ethos:

As a school we wish to educate our students in a safe, supportive environment, to make healthy and safe choices. The school has a zero-tolerance policy towards illegal drug use and the carrying and use of weapons.

Purpose of this Policy:

1. To provide guidelines regarding opportunities for education to prevent harm
2. To develop teaching staff's confidence and skills to manage situations involving drugs and prohibited items.
3. To create a safe and supportive learning environment.
4. To ensure that students are protected from harm.
5. To ensure that those for whom drugs/weapons are a concern, receive appropriate support.
6. To enable staff to manage drugs and /or weapons on school premises, and any incidents that occur, with confidence and consistency and in the best interests of those involved.

Drugs education:

Drug education at The Fitzroy Academy may take place on an ad hoc basis through day-to-day conversations but will also occur through the taught curriculum in PSHE lessons as well as in the Science curriculum. The purpose of this teaching is to:

- Increase knowledge and understanding, clarifying misconceptions about: the short and long-term effects of drugs, laws relating to drugs, school policy relating to drugs, the impact of drugs on families, communities, and personal behaviour, the prevalence and acceptability of drug use among peers, and the moral, social, and emotional issues surrounding drugs.
- Develop young people's personal and social skills to make informed decisions to stay safe and healthy including information and advice around coping strategies.
- Enable young people to explore their own and other peoples' attitudes towards drugs, weapons, drug use and users.

This policy has been devised with reference to the DfE and ACPO drug advice for schools (2012), which promotes understanding of the relevant powers and duties in relation to powers to search for and confiscate drugs, liaison with the police and with parents. Since this area of education is constantly developing and changing it is vital that those delivering drugs education keep up to date and refer back to guidance on a regular basis. Where appropriate outside specialists should also be brought into school to provide additional information for students.

Staff Training and Responsibilities:

As a company, New Reflexions makes available regular updates regarding drugs awareness. School staff can be included in this training on a rolling basis as appropriate and the teacher with responsibility for PSHE should have regular updates. The person with overall responsibility for dealing with drugs issues in school is the headteacher, but s/he will act in liaison with the appropriate other professionals and take advice from appropriate sources.
Reflective Therapeutic Intervention is clear about not intervening with a young person if they have a weapon, the safety of everyone is always paramount. It is for staff to make a judgement based on their training about where the most significant risk lies and to act accordingly.

Dealing with Incidents:

The school will operate a zero-tolerance policy towards illegal drug use, possession or supply on the premises. The school also has a zero-tolerance policy on the use and carrying of weapons.

When dealing with drug-related incidents school staff should refer to the DfE and ACPO Drugs Advice for Schools September 2012. This gives clear information relating to informing others and appropriate responses. It will also be necessary to take into consideration any previous involvement and whether YOT's may already be involved with the young person. Where students are looked after, it is of paramount importance to inform the social worker of the situation.

Searching and Confiscation
Advice on searching and confiscations can be found in Searching, Screening and Confiscation and Mobile phones in schools - GOV.UK

Searching

School staff can search a student for any item **if the student agrees**. The member of staff should ensure the student understands the reason for the search and how it will be conducted so that their agreement is informed.

Under law:

- The person carrying out the search **must** be the same biological sex as the student being searched
- There **must** be another member of staff present as a witness to the search

The only exception to this is if:

- The searcher reasonably believes that there is a risk of serious harm being caused to a person if a search isn't carried out urgently **and**
- It's not reasonably practical to summon another member of staff (to carry out the search or act as a witness) within the time available

The member of staff witnessing the search must also be the same biological sex as the student being searched **if** this is reasonably practicable (paragraph 6(d) of section 550ZB of the Education Act 1996).

When an authorised staff member conducts a search without a witness, they should immediately report it to another member of staff, and make sure that a record is kept using the form at the end of this policy

How to carry out the search

The headteacher or authorised staff member should:

- Make an assessment of how urgent the search is, and consider the risk to other students and staff
- Explain to the student why they are being searched, how and where the search will happen, and give them the opportunity to ask questions about it
- Always seek the student's cooperation

Authorised staff can search a student's pockets and require students to remove outer clothing, meaning clothes that are not worn directly next to the skin or over underwear. Outer clothing also includes:

- Hats
- Scarves
- Shoes or boots

You **cannot** ask students to take off any further items of clothing.

Be sensitive to whether a student is wearing outer clothing for religious reasons when you conduct a search. For example, you shouldn't require a female student to remove a headscarf she's wearing for religious reasons if your witness is male.

- the search should be carried out in a private place
- anything found must be recorded and the signature of the young person should be obtained if possible
- Parents/Guardians of under 18's must be informed of the search - whether or not anything is found.

Headteachers and staff authorised by them have a statutory power to search students or their possessions, here 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 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 to, or damage to the property of, any person (including the student).

There is no legal definition of reasonable grounds, however, the following could be considered to give reasonable grounds to suspect the student may have a prohibited item:

- Hear the student or other students talking about an item
- Be told directly of an item
- See an item
- Notice a student behaving in a way that causes you to suspect that they're concealing an item

School staff also have the right to search lockers or desks if they believe something prohibited may have been stored there.

If the young person refuses to be searched or to empty their pockets or bag school staff do have the right to use reasonable force where they believe a prohibited item is being concealed.

If the student is not willing to co-operate with the search, the member of staff should consider why this is.
Reasons might include that they:
• are in possession of a prohibited item;
• do not understand the instruction;
• are unaware of what a search may involve; or
• have had a previous distressing experience of being searched.

If a student continues to refuse to co-operate, the member of staff may sanction the student in line with the school's positive behaviour policy, ensuring that they are responding to misbehaviour consistently and fairly.

If the member of staff still considers a search to be necessary, but is not required urgently, they should seek the advice of the headteacher, designated safeguarding lead (or deputy) or pastoral member of staff who may have more information about the student.
During this time the student should be supervised and kept away from other students.
If the student still refuses to co-operate, the member of staff should assess whether it is appropriate to use reasonable force to conduct the search. A member of staff can use such force

as is reasonable to search for any prohibited items identified as prohibited items, but not to search for items which are identified only in the school rules.
The decision to use reasonable force should be made on a case-by-case basis. The member of staff should consider whether conducting the search will prevent the student harming themselves or others, damaging property or from causing disorder.

However it is The Fitzroy Academy's preference that the Police should be contacted in order to deal with the incident if the student refuses to agree to the requested searches. In this instance school staff must clearly explain their planned course of action to the student, unless doing so could put them in immediate danger.

Police Attendance and Strip Searching

The Fitzroy Academy does not advocate the use of strip searching of students. However, the police may carry out strip searches if they attend the premises.

A strip search is a search involving the removal of more than outer clothing. Strip searches on school premises can only be carried out by police officers under the Police and Criminal Evidence Act 1984 (PACE) Code A and in accordance with the Police and Criminal Evidence Act 1984 (PACE) Code C.
While the decision to undertake the strip search itself and its conduct are police matters, school staff retain a duty of care to the student(s) involved and should advocate for student wellbeing at all times.
Before calling police into school, staff should assess and balance the risk of a potential strip search on the student's mental and physical wellbeing and the risk of not recovering the suspected item. Staff should consider whether introducing the potential for a strip search through police involvement is absolutely necessary, and should always ensure that other appropriate, less invasive approaches have been exhausted. Once the police are on school premises, the decision on whether to conduct a strip search lies solely with them, and the role of the school is to advocate for the safety and wellbeing of the student(s) involved.

Unless there is an immediate risk of harm and where reasonably possible, staff should inform a parent of the student suspected of concealing an item in advance of the search, even if the parent is not acting as the appropriate adult. Parents should always be informed by a staff member once a strip search has taken place. Schools should keep records of strip searches that have been conducted on school premises and monitor them for any trends that emerge.

Except in cases of urgency where there is risk of serious harm to the student or others, whenever a strip search involves exposure of intimate body parts there must be at least two people present other than the student, one of which must be the appropriate adult.

If the student's parent would like to be the appropriate adult, the school should facilitate this where possible. Police officers carrying out the search must be of the same biological sex as the student being searched. An appropriate adult not of the same sex as the student being searched may be present if specifically requested by the student. Otherwise, no-one of a different biological sex to the student being searched is permitted to be present, and the search must not be carried out in a location where the student could be seen by anyone else.
Except in urgent cases as above, a search of a student may take place without an appropriate adult only if the student explicitly states in the presence of an appropriate adult that they do not want an appropriate adult to be present during the search and the appropriate adult agrees. A record

should be made of the student's decision and signed by the appropriate adult. The presence of more than two people, other than an appropriate adult, shall be permitted only in the most exceptional circumstances.
Strip searching can be highly distressing for the student involved, as well as for staff and other students affected, especially if undertaken on school premises. PACE Code C states that a strip search may take place only if it is considered necessary to remove an item related to a criminal offence, and the officer reasonably considers the student might have concealed such an item. Strip searches should not be routinely carried out if there is no reason to consider that such items are concealed.

After-care following a strip search
Students should be given appropriate support, irrespective of whether the suspected item is found. If an item is found, this may be a police matter but should always be accompanied by a safeguarding process handled by the school which gives attention to the student's wellbeing and involves relevant staff, such as the designated safeguarding lead (or deputy).
Safeguarding should also be at the centre of support following a strip search in which the item is not found, both in the sense of supporting the student to deal with the experience of being searched, and regarding wider issues that may have informed the decision to conduct a strip search in the first place. In both cases, students should feel that they have an opportunity to express their views regarding the strip search and the events surrounding it. School staff should give particular consideration to any students who have been strip searched more than once and/or groups of students who are more likely to be subjected to strip searching with unusual frequency, and consider
preventative approaches.

Confiscation
School 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. In the case of The Fitzroy Academy this could include devices which can be used to contact undesirable people or which allow the inappropriate use of social media.

Following a search, whether or not anything is found, the school will make a record of the person searched, the reason for the search, the time and the place, who was present and note the outcomes and any follow-up action, although there is no legal requirement to do this.

Schools' 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.

Where the person finds other substances which are not believed to be controlled drugs these can be confiscated when a teacher believes them to be harmful or detrimental to good order and discipline. This would include new psychoactive substances or 'legal highs'. If school staff are unable to identify the legal status of a drug, it should be treated as a controlled drug.

Young people need to be informed that any drugs found on themselves will be handed to the police and that their names will be passed over. Due to the significant susceptibility/vulnerability of our learners, the parents/home manager and social worker (for children who are looked after) would be informed by the Head teacher or DSL if this did not put the child/young person at risk of significant harm.

Handling Illegal Substances:

Section 5 of the Misuse of Drugs Act 1971 makes lawful provision for a person, in order to prevent the commission or continuance of an offence, to take possession of a controlled drug and either destroy it as soon as reasonably practicable, or hand it to a police officer for identification and destruction. However, this Section of the law does **not** make it legal to possess a controlled drug under these circumstances.

Any illegal substances found by teaching staff under any circumstances must be handed over to the police at the earliest possible opportunity. The find must be witnessed by at least one other staff member in addition to the finder, the fact recorded and the drug held in the school safe until the police have dealt with the matter. The substance must be sealed in a plastic bag with the following information recorded:

- description of item
- time, date and place of seizure
- full details from whom item seized and under what circumstances
- details of member of staff seizing the item
- signatures of witness(es)

If the police cannot attend quickly enough to remove the substance before the close of the day, the person in charge should ensure that the substance is securely locked away and contact the police again informing them that the substance is still on the school premises. The person in charge must request a reference number from the police (if they have not already received one) and retain a record of the communication held.

Statutory guidance for dealing with electronic devices
Please also refer to the school's Mobile Phone Policy and Online Safety Policy.

Where a member of staff conducting the search finds an electronic device that is prohibited by The Fitzroy Academy or that they reasonably suspect 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 guidance issued by the Secretary of State when determining what is a "good reason" for examining or erasing the contents of an electronic device. They 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 the member of staff has reasonable grounds to suspect that the device contains evidence in relation to an offence, they must give the device to the police as soon as it is reasonably practicable and inform the DSL.

Please note the guidance on sexting, which clearly states that it is an offence to view pornographic material. If pornographic images are suspected the member of staff **should not** view the content on the phone and should refer immediately to the DSL.

Weapons or harmful items

Any weapons or items which are evidence of a suspected offence must be passed to the police as soon as possible.

Items that have been (or are likely to be) used to commit an offence or to cause personal injury or damage to property should be delivered to the police as soon as reasonably practicable, returned to the owner, retained or disposed of.

The member of staff should take into account all relevant circumstances and use their professional judgement to determine whether the item should be delivered to the police, retained, returned to the owner or disposed of. In taking into account all relevant circumstances the member of staff should consider:

whether it is safe to dispose of the item; and

whether and when it is safe to return the item.

If a member staff suspects a confiscated item has been used to commit an offence or is evidence in relation to an offence, the item should be delivered to the police.

Members of staff should use their judgement to decide to return, retain or dispose of any other items banned under the school rules.

Assessing "Significant Harm"

If the school becomes aware of student drug use/use of weapons/inappropriate electronic materials they must principally consider the health and safety of the young person when thinking about how to respond. The decision will be informed by the Head teacher's/staff's professional judgment, and their knowledge of the young person and their situation. If the young person is at immediate risk of significant harm the school will make a child protection referral. In less serious situations and when students are in care, the social worker should be informed and actions taken to support and educate the young person. Where children are not in care and would not be placed at risk by the sharing of information then the parents should be informed. The school should seek appropriate advice to support and educate the young person.

Last Reviewed	*August 2026*
Next Review Due	*August 2027*
Reviewed by	*Head Teacher*

Search Related Incident Report Form

Search-Related Incident Report Form	
Author of Report:	Date Report Completed:
1. Incident Details	
Date of Incident:	Time of Incident:
Name of Student:	Year:
Is this the first incident? YES / NO	If NO, how many other incidents:
Suspected item Involved:	Item(s) Found: YES / NO
If found, where retained:	Name of Witness:
2. Brief Description of Incident and Item(s)	
3. Additional External Support	
First Aid given: YES / NO	First Aid given by:
Police: YES / NO	Called by:
Ambulance: YES / NO	Called by:
Child Protection Referral: YES / NO	Called by:
Parent/Carer/SW to be called: YES / NO	Parent/Carer/SW to be called by: