



ST ALOYSIUS' COLLEGE

Confiscation of property and searching a pupil St Aloysius' College

Items that should be confiscated

Staff may confiscate items they consider dangerous, inappropriate, or distracting to the conduct of a lesson or to school life in general (including on school trips). In particular, notice is drawn to the prohibition of the following items:

- **laser pens** (can be used to set off the fire alarm and cause eye injury; school rules)
- **knives and blades** of any sort or size (criminal offence to carry in schools)
- **imitation firearms** (including all toy guns however unlikely; criminal law)
- **smoking materials** (school rules)
- **alcohol**
- **drugs and solvents** (school rules; criminal law)
- **chewing gum** (causes material damage; school rules)
- **racist, pornographic, or other undesirable printed or software material** (school rules)
- **glass bottles** (school rules)

Procedure to be followed by all staff

Please note, although pupils are allowed to bring mobile phones to school for personal safety. Pupils are strictly forbidden to use mobile phones during school hours, unless given permission by a member of staff.

Staff have a legal responsibility to ensure the security of items they confiscate and should act according to the following guidelines:

1. The item should be placed in a sealed envelope bearing the name, and year of the pupil, the date the item was confiscated, and the teacher's name. Larger items should be tagged or labelled.
2. The enveloped item should be passed into the keeping of the relevant Head of Year (or Head of Section in the Junior School) as soon as possible. The Head of Year will have a secure drawer for such items and will be responsible for returning them to pupils as s/he sees fit (perhaps after a talk with the pupil and maybe after a deliberate delay) but usually after not more than a week. Where the item is of considerable value, the pupil should be asked to sign and date the envelope when the item is returned.
3. Items which pupils should not have at all (e.g. cigarettes, alcohol, etc.) are to be returned only to parents who should be informed (by the Head of Year or Head of Junior Section) that the school wishes them to come in and pick them up in person. If the parents indicate that they do not wish the item to be returned, a written note of the fact should be entered in the pupil's file.
4. It is a criminal offence to carry a knife on school premises. Any such incidents must always be referred to the Depute or Head of Junior School.

Dangerous/Inappropriate items – Senior School

There may be rare occasions when the school's duty of care to a child means that the child should be searched (i.e. required to turn out pockets and show that the pockets are empty). This should be carried out without any physical contact between the staff and pupil. This situation may arise when a staff member believes the child to be in possession of:

- a **dangerous item** (e.g. a chemical taken from a lab, a knife, matches)
- a **stolen item**
- an **illegal item** (e.g. drugs or a knife)
- a **highly undesirable item** (e.g. pornography, alcohol, cigarettes)

In every case the item must be more than just a nuisance item to justify a search. Staff should be aware of the right to privacy (of the European Convention on Human Rights) – any intrusion on that privacy (which includes the person, personal space, possessions and communications) must be justified by an overriding concern (such as for the pupil's or others' safety).

Often a search can be avoided by explaining your suspicions and concerns and inviting the pupil to co-operate (a "word to the wise" approach). If the pupil refuses, explain that you have grounds for concern and that you are now going to involve a senior member of staff.

Never conduct a search alone. Always involve another member of staff. This should be a senior member of staff whenever possible (on a school trip, for example, this may not be possible).

Keep the pupil under continuous supervision in meantime (insist that s/he accompanies you to find the senior member of staff).

If, in the presence of the senior member of staff, the child persists in refusing to co-operate, s/he should be warned that his/her parents will be called to the College and that s/he faces serious disciplinary action including suspension. The pupil should be kept under supervision until the parents arrive. The pupil may not, however, be physically prevented from leaving. If the item in question is seriously dangerous or illegal, the police should be called.

Staff may, with good reason, search lockers, bags, and clothing that is not being worn. Usually, the pupil's co-operation should be sought before this is done. Search of the person (i.e. clothes that are being worn) is never to be undertaken. A pupil may be asked to remove only an outdoor coat or blazer or to hand over a bag.

The details of any search are to be carefully written up in an incident form and countersigned by the second member of staff. The incident form is passed to the Head Master.

Dangerous/Inappropriate items – Junior School

On the rare occasions where a teacher may suspect a child in possession of a dangerous or illegal item the Assistant Head of Section/Head of Section should be alerted immediately. A safe place should be established. Children should be asked in a place away from their classroom so as not to cause shame or embarrassment in front of their peers. The same procedures as those for the Senior School should be followed. With Junior School pupils when a classroom item or classmates' item has been stolen, teachers should deal with this discreetly so as not to cause embarrassment. HoS should be advised immediately. Different appropriate strategies should be utilised to locate them where necessary. The child would speak with HoS away from the classroom and parents informed.

Searching iPads or Mobile phones – Senior and Junior School

Where a teacher has reasonable suspicion that a pupil may have received or sent material that is inappropriate, illegal or of a bullying nature they must act quickly to secure evidence if at all possible.

Staff should be aware that mobile phones and iPads are the pupil's personal property and they cannot be looked at without the pupil's consent and the pupil being present to show the information. Phones and iPads should be confiscated following the school's guidelines and a member of JSLT/SSLT informed immediately. In the Junior School HoS would telephone parents to notify them immediately to what has happened and ask parents to assist.

Policy Owner: Isabelle Erskine/Francisca Davidson

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This policy will be annually reviewed by: Isabelle Erskine/Francisca Davidson