



Great Bardfield Primary School

Confiscation of Property Policy

Approved by: Elizabeth Crow Headteacher

Ratified by Governors: September 2022

Last reviewed: September 2022

Next review due by: September 2024

Great Bardfield Primary School
CONFISCATION OF PROPERTY and INAPPROPRIATE ITEMS POLICY

Introduction

High quality teaching and learning is a way of ensuring good behaviour in schools and at Great Bardfield Primary School we value good behaviour to promote the school as a learning community and to ensure that classrooms are safe and effective learning environments. The highest regard is given to the quality of relationships between staff and pupils/students. We aim for Great Bardfield Primary pupils to take responsibility for their actions and for the school to be a physically and emotionally safe place for pupils to develop.

The school's behaviour policy sets out what is expected of pupils in the school and when engaged in school activities (such as school journeys, residential visits). It also sets out the rewards which are used to encourage and develop good behaviour together with sanctions applied to assist in modifying inappropriate behaviour.

Pupils/students should not bring onto the school site or be in possession of items which detract from good behaviour or have a negative effect on their own learning or that of others. Pupils/students should not be in possession of items which endanger the health, safety and wellbeing of other members of the school community.

DANGEROUS AND BANNED ITEMS NOT TO BE BROUGHT INTO SCHOOL

The following items are not allowed in school:

Dangerous Items:

1. Illegal drugs and 'legal highs' and any equipment associated with drug taking
2. Guns, including toy/ mock ones
3. Knives and other offensive weapons
4. Alcohol
5. Fireworks or any other explosive or flammable items

These items are to be given straight to the Headteacher who will deal with them. The school reserves the right to inform the police if items 1, 2 or 3 are brought onto the school premises and to give these items to the police.

Banned Items:

MP3 player/iPods/ipads
Mobile phones (with the exception of Year 6 pupils who must hand in their phone on arrival)
Any products containing solvents
Aerosols
Matches, lighters and cigarettes
Electronic/battery computer games, devices and gadgets
Excessive jewellery (see uniform policy)
Energy drinks, i.e. those with a high caffeine content such as *Source, Red Bull, Monster Boost, or any other supermarket own-brand*

Procedures

If a member of staff finds a student in possession of a dangerous item they should immediately confiscate it and inform the Headteacher.

If a student is found in possession of a banned item or mobile phone, staff will confiscate it and bring it to the office for safe-keeping. Staff will make a written record of the items handed in and contact parents to arrange a time for collection. The item will only be returned to the parent or appropriate adult.

Items not allowed in school or being misused in school, but not listed above, will be confiscated by staff who will have their own arrangements for handing them back to the students.

Searching pupils

Items that are **banned by the school rules** are communicated to parents/carers and pupils alike. School staff have the right to search pupils **with their consent** for any such item. Refusal by the pupil constitutes the same situation as when he/she refuses to obey any other kind of instruction, and an appropriate disciplinary sanction will be applied.

Pupils/students can be searched **without giving their consent** for knives, weapons, illegal drugs and stolen items. An authorised member of staff of the same sex as the pupil will carry out the search and there must be another staff member present, preferably the same sex as the pupil, as a witness. The power to search without consent allows a personal search involving the removal of outer clothing, but not an intimate search (Intimate searches may only be carried out by someone with more extensive powers such as a police officer). Weapons, illegal drugs and stolen items will be handed to the police. In the case of alcohol, non-controlled substances and very low value stolen items, the members of staff involved will take into account all relevant circumstances and use their professional judgment to determine whether they can safely dispose of a seized item.

School staff can confiscate any banned or prohibited item found as a result of a search or which they consider harmful or detrimental to school discipline.

Informing Parents

Great Bardfield Primary School is not required to inform parents/carers before a search takes place or to seek their consent to search their child. Nor is there any legal requirement for the school to inform pupils' parents/carers when alcohol, illegal drugs or potentially harmful substances are found in the course of a search. However, the recommendation is that it will be good practice to do so if circumstances permit.

Safeguarding Confiscated Items

As soon as practicable after confiscation, any item belonging to a pupil should be secured in an envelope or bag and marked with the pupil's name, class, description of the item and date of confiscation and placed in the office. The member of staff who has confiscated the item will make contact with the child's parents, inviting them or another appropriate adult to collect the item at a time of mutual convenience.

All reasonable steps will be taken to ensure that storage arrangements are secure. For some items, Great Bardfield Primary School will seek specialist advice, for example suspected illegal drugs and items which might be used as weapons. We are committed to working in partnership with Police, Youth Offending Teams and other specialist agencies to cover such issues. We will not hesitate to access specialist support and advice if an incident occurs.

Length of Confiscation

Confiscated items are to be returned to a parent/carer by the member of staff who has confiscated the item at a mutually convenient time.

However, there are instances when the school will choose not to return an item to a pupil:

- Any item of an unlawful or hazardous nature;
- Should the family choose not to collect the item, it will be disposed of at the end of each term;
- Any item of no value such as an inappropriate message scrolled on a piece of paper.

Monitoring and Evaluation

This policy will be monitored regularly to ensure that it reflects legislation at all times and will be evaluated in the light of any parental concerns.

Reviewing

This policy will be reviewed every two years.

Background

The Education Act 2011 contains legislation on schools' powers of searching and screening pupils and, in particular, the use of the right to search pupils without their consent.

A guidance document issued by the Department for Education explains the powers schools have to seize and then confiscate items during a search. The guidance "Screening, Searching and Confiscation" is directed at Headteachers, school staff and governors and replaces 'Screening and searching of pupils for weapons: guidance for school staff', part of the Education and Inspections Act 2006.

**CONFISCATION OF PROPERTY POLICY AND PROCEDURE
PROCESS MAP**

