

Featherstone High School



Confiscation of Inappropriate Items Policy

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FHS Confiscation of Inappropriate Items Policy

Introduction

Featherstone High School expects all students to abide by the school rules. Ensuring that there is an orderly, safe and secure learning environment for students and staff is paramount. The confiscation of students' property is a disciplinary sanction in Featherstone High's behaviour policy. Confiscation will be a reasonable sanction in the circumstances of each particular case. Decisions about retention and disposal of confiscated property will also be reasonable in the circumstances of the particular case.

The Law

The Education and Inspections Act 2006 includes a specific statutory defence for school staff who have reasonably confiscated students' property. Schools have a statutory power to discipline students for breaches of school rules, failure to follow instructions or other unacceptable conduct. All staff in charge of students have the power to discipline. The Education and Inspections Act 2006 provides schools with two things. First, the overall power to enforce disciplinary penalties, this covers the use of confiscation as a disciplinary penalty (sanction). Secondly, the Act provides a member of staff with a specific statutory defence if he or she proves that the seizure, retention or disposal was lawful.

Items That May be Confiscated

Featherstone High expects all students to follow the school ground rules, which includes not bringing into school certain items. The following criteria will be used when determining if confiscation should take place;

- If an item poses a threat to others: for example, a laser pen is being used to distract and possibly harm other students or staff
- If an item poses a threat to good order for learning: for example, a student uses a personal music-player or a phone in class
- If an item is against school uniform rules: for example, a student is wearing a hooded top or baseball cap.
- If an item poses a health or safety threat: for example, a pupil wearing large ornate rings may present a safety threat to other pupils (especially in P.E)
- If an item which is counter to the ethos of the school: for example, material which might cause tension between one community and another
- If an item which is illegal for a child to have: for example, racist or pornographic material.

If a student is suspected of having an item on them that they should not have, staff at Featherstone High will not carry out a physical search. Staff will request that students empty out their own pockets and bags (etc). If a student refuses to follow this request the Safer Schools Police Officer will be called to assist. Students will always be given the choice. If the suspicion is that the student is concealing a weapon or an illegal substance, the Safer Schools Police Officer will be called in the first instance.

Confiscated Items

Once an item has been confiscated, the respective member of staff will write a note in the student's planner to inform the parent/guardian. A description of the item will be made and details on how the parent/guardian can retrieve the item. If the item confiscated is illegal for the student to have (i.e controlled substances or alcohol) or suspected to be part of a crime that may have been committed (i.e. a mobile phone), Featherstone High will work with the Safer Schools Police Officer and other relevant external agencies in determining what happens next with the item. Parents/guardians will be informed once a decision has been made. All confiscated items will be stored safely until they can be returned. Items of obvious value will be stored securely and labelled with the students name and form. Items of no value, such as an inappropriate message scrawled on a piece of paper, will be disposed of. Staff will establish if there is any emotional value of the item before deciding whether or not to dispose of the confiscated item.

Staff at Featherstone High will take particular care when deciding whether to confiscate items of clothing or jewellery. In particular, they will have appropriate regard to whether the item in question has religious or cultural significance to the student. Staff will avoid physical contact or interference with students' clothing of a kind that might give rise to child abuse allegations. Confiscation of any item that would leave the student only partly dressed will be avoided. For a first offence, items will be returned as soon as is reasonably possible (normally within two days). Confiscated items will be returned to parents/guardians only, not siblings, cousins or other relatives. A member of staff will need to speak to the parent/guardian to explain to them why the item was confiscated and to gain assurances that the respective item will not be brought back into school. Repeat offences will result in longer periods of confiscation.

Monitoring & Evaluation

The TLR1 pastoral leaders will evaluate how this policy is being implemented by consulting with the school council and year teams. Pertinent issues will be reviewed on a yearly basis.

Other relevant policies and procedures;

- Student Discipline and Behaviour Policy
- Managing and Improving Behaviour (procedural document)
- School Uniform Policy
- Race Equality Policy
- Equal Opportunity Policy