

# Birkdale High School

NIHIL NISI BONUM



Birkdale  
High School

Aspire - Thrive - Succeed

## Confiscation Policy



## Birkdale High School Confiscation of Inappropriate Items Policy

<i>Date of Policy:</i>	<i>June 2018</i>
<i>Members of staff responsible:</i>	<i>Assistant Headteacher (David Pryor)</i>
<i>Review date:</i>	<i>June 2020 – every 2 years</i>

### **Introduction**

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.

### **Objectives/Targets**

Items which might be considered for confiscation include, among other items not listed here:

Any item posing a threat to others: for example a laser pen being used to distract and possibly harm other pupils or staff

Any item posing a threat to good order for learning: for example a pupil using a personal music player in class

Any item which is against school uniform rules: for example a pupil refusing to take off and hand in a hooded jacket

Any item posing a health or safety threat: for example a pupil in possession of smoking related paraphernalia. This also extends to specific food and drink items which are detrimental to a students' health and/or not conducive to appropriate for facilitating appropriate learning

Any item which is counter to the ethos of the school: for example material which might cause tension between one community and another

Any item which is illegal for a pupil to have: for example racist or pornographic material

Any item(s) in the possession of the student(s) that are for economic gain: for example, food and drink items for sale to other students

## **Searching and confiscation**

In line with the DfE guidance published in February 2014, Searching, Screening and Confiscation, Headteachers and staff authorised by them have a statutory power to search pupils or their possessions without consent where they suspect the pupil has prohibited items. Prohibited items listed by the DfE (Searching, Screening and Confiscation February 2014) are:

- knives or weapons
- alcohol
- illegal drugs
- stolen items
- tobacco and cigarette papers (inclusive of cigarettes)
- 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 pupil).

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.

In addition to the prohibited items above the items named below are banned from the school site:

- Any item brought to school with intention to sell (food/drinks etc)
- Laser Pens
- High energy drinks (whether it is the sugar version or zero calorie one)
- Drinks in cans
- Jewellery (excluding watches)
- Items of clothing that do not comply with the Uniform Policy
- E-Cigarettes
- Any material the school deems offensive to part of its community

This is not an exhaustive list and the school reserves the right to confiscate any other item currently not on the list, it deems likely to cause offense or create issues with discipline or the quality of learning in the school.

## **Searching Pupils with their Consent**

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 permission 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.

## **Searching Pupils without their Consent**

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.

## **Informing Parents**

Birkdale High 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 students' parents/carers when alcohol, illegal drugs or potentially harmful substances are found in the course of a search. However, we believe in strong relationships with parents and carers and will inform parents and carers in such circumstances.

## **School Procedures**

### **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 student's name and handed into the main office. All reasonable steps will be taken to ensure that storage arrangements are secure.

For some items, Birkdale High School will always 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. For safety reasons, any illegal items that are confiscated will more than likely be kept away from the main school office and stored in another secure location on school site.

### **Mobile Communication Technologies (Including Mobile Phones and Wireless Technologies)**

The use of mobile phones must fit into a learning environment. Mobile phones remain the responsibility of the individual and the school will accept no claims for theft, loss or damage. They are not an essential item in school, as staff will always facilitate access to a phone in the event of an emergency. Mobile phones may only be used in lessons at the instruction of staff and for the exact reason specified by staff. Out of lessons they may only be used at break and lunchtime in the canteen and outdoor areas. Inappropriate use of mobile devices at social times or for inappropriate purposes for example, will lead to confiscation.

Pupils/students are discouraged from bringing into school items of significant value – cameras, laptops, etc – unless they are fully insured for use outside the home. This applies equally to mobile phones.

Where phones are brought into school they must be used appropriately and in accordance with school's Mobile Phone policy. For further guidance and appropriate use of electronic devices please refer to this policy.

Should digital devices, including mobile phones, be used inappropriately they will be confiscated.

### **Length of Confiscation**

Confiscated items are returned to a parent/carer on Fridays between 3.10 – 4pm. Parents/carers should report to Reception to collect and sign for items.

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

Any food item brought to school for economic gain will be destroyed

Any item of an unlawful or hazardous nature or included in the list of prohibited items;

Should the family choose not to collect an item, it will be disposed of at the end of each term.

Smoking paraphernalia, including e-cigarettes, will be dealt with in accordance with the smoking policy. Please refer to the smoking policy for further guidelines.

### **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.