



## **Policy - Temporary Removal (Confiscating) of Student Property**

### **Purpose**

Outlines the process for Lockyer District HS staff to follow when temporarily removing property from students.

### **Overview**

This procedure outlines the conditions under which a staff member may confiscate property from a student and outlines the procedures to follow when property is temporarily removed.

### **Process**

#### **Confiscating of property**

- a staff member may temporarily remove property from a student if the staff member is reasonably satisfied the removal is necessary to:
  - preserve the caring, safe, supportive and productive learning environment of the school
  - maintain and foster mutual respect among staff and students at the school
  - encourage all students to take responsibility for their own behaviour and the consequences of their actions
  - provide for the effective administration of matters about the students of the school
  - ensure compliance with the school's Responsible Behaviour Plan for Students or any other directive, guideline or policy.
- a staff member does not have the authority to open, examine or otherwise deal with the property without the consent of the student or a parent of the student. For example, a staff member who removes a mobile phone from a student is not authorised to unlock the phone or to read, copy or delete messages stored on the phone.
- a staff member needs to keep a record of any instances where they confiscated property of a student.
- a staff member who confiscated property from a student will bring the property to the office at their earliest possible convenience where it will be recorded and stored until returned to the student or their guardian.

#### **Return of confiscated property**

- ensure property held by the school is made available for collection within a reasonable time period (in most cases at the end of the current school day) by the student or, if the student is a child, the principal, the deputy principal or staff member may choose to make the property available for collection to the parent only if it is more appropriate to do so, given:
  - its condition, nature or value, and/or
  - to ensure the safety of the student or staff, and/or
  - for the good order and management, administration and control of the school.
- where the child is an independent student it may not be appropriate to make the property available for collection by the student's parents and the property should be returned to the student.
- ensure property made available for collection is in the same condition as when the property was removed.
- a staff member needs to keep a record of any instances where they returned confiscated property to a student.

#### **Circumstances where confiscated property need not be made available for collection**

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- if the property is illegal to possess, likely to threaten the safety or wellbeing of students or staff, or is reasonably suspected to have been used to commit a crime the staff member is to contact a Deputy Principal and if property was already confiscated pass it on to them;
- where staff reasonably suspect that the student is not the lawful owner of the property, staff need not make the property available for collection. In this case, staff will pass the confiscated property to the Deputy Principal. a staff member needs to keep a record of any instances where they confiscated property of a student.
- a staff member will hand any confiscated property of a student that is not being returned to the Deputy Principal.

### References

- Lockyer District HS – Policy - Acceptable Use of Mobile Phones and Personal Digital Devices
- Temporary Removal of Student Property by School Staff - <http://ppr.det.qld.gov.au/education/management/Pages/Temporary-Removal-of-Student-Property-by-School-Staff.aspx>
- Police and Child Safety Officer Interviews with Students, and Police Searches at State Educational Institutions - <http://ppr.det.qld.gov.au/corp/governance/Pages/Police-and-Child-Safety-Officer-Interviews-with-Students,-and-Police-Searches-at-State-Educational-Institutions.aspx>