



5.2 5.5 Student searches procedures

The school is committed to providing a safe physical and emotional environment for the student safety at school is a basic expectation of students as well as being a prerequisite for student success and achievement

Parnell District School deems the following unsafe items are prohibited:

- any weapon, knife, illegal drugs or substances, cigarette lighter, pornography, and any electronic medium that has been accessed for illegal or anti- social (e.g. bullying) activities.

In conducting searches of students and property, the school will abide by the provisions of the Privacy Act 1993, and the Bill of Rights Act 1990

Procedures

1. The staff will inform students, at least twice a year, in age appropriate manner that schools have the legal right to search and confiscate property.
2. A decision to search must be made fairly and on proper grounds, based on all the known facts in a consistent, transparent way (i.e. past conduct alone, is not grounds for a search)
3. Prohibited items can be confiscated. The most straightforward method is for the staff member who believes there is a concealed item on the student's clothing or property to question the student. Staff can ask the student to hand over the item.

A Search: The following guidelines apply

- The search will be conducted in the presence of the most senior staff member available by a staff member of same gender as the student. (i.e. two staff members present)
- The search will take place in a discreet location, away from other pupils.
- No force can be used except in an emergency situation when a staff member acts to defend themselves
- Staff do not need to seek student consent for a search before they instruct a student to cooperate. Explain to the student what you are looking for and why this is a risk to safety.
- Consideration will be given to inviting the parent /caregiver to the school for the search.
- The school can provide a support person for the student.
- Searches can only be conducted of outer clothing. Staff can ask for pockets to be emptied and can search a garment the student chooses to remove them.

- School bags can be searched by instructing the student to empty their bag
 - The process can be slowed down to give the student time to consider their behaviour / choices.
 - Confiscation of items may be permanent or to the end of the school day. (Perhaps to parents). Sometimes a relatively benign object (e.g. musical instrument or sports equipment) may have to be confiscated for a period if it has been used inappropriately.
4. If a student refuses to follow instructions contact police and parents. If the school suspects illegal drugs are involved, arrange supervision of the student and call the police
 5. The school can invoke disciplinary measures, involving parent/guardians in instances of significant risk or criminal activity. Refer policy 5.11 Stand-downs, Suspensions and Exclusions.
 6. The school retains the option of calling the police to take appropriate action.

Disputed and “inappropriate” property

1. Staff can confiscate an item whose ownership is in dispute while an attempt is made to resolve the matter. Staff can also confiscate for the rest of school day inappropriate items that should not come to school. (E.g. toys, trading cards).

Reference: Searching Students and Confiscation: General guidance on practice.

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