
Confiscation Policy



**Icknield Community College
Love Lane
Watlington
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Approval & Review

Approved by:	Governing Body for the academic year 2010/2011
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Confiscation

Confiscation is one of the disciplinary sanctions of Icknield's Behaviour for Learning policy. Items may be confiscated if they:

- pose a threat to others: e.g. a laser pen being used to distract and possibly harm other students or staff.
- pose a threat to good order for learning: e.g. a student using a personal music player in class
- are against school uniform rules: e.g. a student refusing to take off a inappropriate clothing on entering a classroom
- pose a health or safety threat: e.g. a student wearing jewellery in PE which may present a safety threat to other students
- are counter to the ethos of the school: e.g. material which might cause tension
- are illegal; e.g. racist or pornographic material, cigarettes, lighter, matches

Confiscation of jewellery and clothing

Particular care is taken when deciding whether to confiscate items. In particular, consideration is given to whether the item in question has religious or cultural significance to the student. Staff should avoid physical contact or interference with students clothing of a kind that might give rise to child abuse allegations.

In order to minimise such risks, we ensure that if an item of clothing or jewellery is confiscated, this is done, if possible, by a staff member of the same sex as the student and with another member of staff present.

What to do with confiscated items

A record is kept of confiscated items and the grounds for the action, so that they may, if challenged, be justified.

Confiscated items, especially those of monetary or emotional value will be labelled and stored in the school safe or a locked filing cabinet. Should any illegal items, such as drugs or weapons be confiscated, the police will immediately be informed.

Mobile communication technologies

We have taken into account the rurality of our school and consider it reasonable for students to bring mobile phones to school. They must, however be switched off during lesson time and if they are produced, used or ring during this time, they may be confiscated.

It is unacceptable to use mobile phones at breaks and lunchtimes to humiliate or bully other members of the school community (e.g. sending abusive text messages, cyber bullying or using camera phones for recording and transmitting images of abuse).

How long should items be confiscated for?

In most cases, confiscation is a sufficient sanction, and return of the item at the end of the lesson, school session or school day is adequate time to reinforce the school rule.

Not returning an item

There may be some cases when we choose not to return an item to the student.

- Items of no value
For example; an inappropriate message scrawled on a piece of paper. These may simply be disposed of, but it should be remembered that some items of seemingly no value may have emotional value to the child and staff should establish if this is the case before deciding whether or not to dispose of the confiscated item.
- Items of value that the student should not have brought to school or which s/he has misused in some way might be confiscated until a family adult can come to retrieve them. Cigarettes and lighters would fall into this category. Retention in this case, is a reasonable step both to protect property and to enable discussion about whether the student is smoking and how this can be addressed.
- Items that the student should not have had in his or her possession:
We may give items such as those of an unlawful or hazardous nature, to an external agency for disposal or further action as necessary. Parents will always be informed in this case.

Searching without consent

There is separate legal provision in the section 45 of the Violent Crime Reduction Act 2006 (and related guidance), which grants to head teachers, and staff they authorise, a power to search students, without consent, when they have reasonable grounds for suspecting that a student has a knife or other weapon.

The search may be carried out on the school premises or anywhere else where students are under the charge of the member of the member of staff conducting the search, such as during an off-site educational visit.

The legal power for school staff to search students only extends to weapons. A student might reasonably be asked to turn out his or her pockets or to hand over an item such as a personal music player that is causing disruption, and the school might use its legal power to discipline if the student unreasonably refuses to cooperate.

If it is necessary to search a student for illegal drugs or stolen property, this should be done as far as is practically possible, by the police.