



## CASHMERE HIGH SCHOOL

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### Procedures for Surrender and Retention

All schools are required to provide a safe physical and emotional environment for students and staff. Parents, students and the public have a legitimate expectation that the school environment will be free from drugs, weapons, alcohol and cyber bullying. The Amendments to the Education Act 1989 (which took effect in January 2014) set out rules around the ‘surrender and retention’ of items within schools.

- Any teacher is able to require a student to produce and surrender an item, which the teacher has reasonable belief is likely to endanger the safety of any person, or is detrimental to the learning environment. This does not extend, however, to allowing the teacher to physically search the student.
- The definition of “item” is sufficiently broad to cover most items that are likely to be the subject of concern in a school environment. This includes any physical object or any information stored in digital form. An item in digital form includes a text, an image, an audio clip or track and a video clip or movie.
- A request to surrender an item can be in relation to items either on a student or in any bag, container under the student’s control. Students must be present at all times during a search of their property.
- Students can be asked to remove outer clothing or raise lower or open their clothing. Searches of a student’s person, including both a ‘strip search’ and a “rub down search” are prohibited.
- Once an item has been surrendered by a student, a teacher may retain the item for a reasonable period, which is usually up to two days. The item may be retained for longer if it is passed on to the Senior Leadership Team as it may require further disciplinary action.
- Any items that are retained will be stored by the school with reasonable care but the school shall not be liable to the student for any loss of or damage to items.
- Any item may be disposed of if a member of the Senior Leadership Team consider it appropriate. Disposal may include destruction of items such as drugs or drug paraphernalia. The student will be advised if this is the case.
- There must be a written record of every item or device retained and any case of a student searched for an item on the school’s management system (KAMAR). This must include, date the item was taken, name of student and name of teacher who took the item/conducted the search.

- If a student refuses to surrender on request property that is deemed harmful the teacher is to take the student to a member of the Senior Leadership Team.
- In the situation where a student has refused a request to surrender an item and been referred to a member of the Senior Leadership Team the student's parents will be telephoned. The student will be supervised at the office of a member of the Senior Leadership Team until the arrival of a parent or guardian.
- Following the arrival of the parent or guardian, the student will again be asked to empty their pockets, or to open their bag or locker for inspection. If the student continues to refuse to agree to the search being carried out, such refusal will be dealt with as a disciplinary matter.
- If a parent or guardian is not available to attend the school or able to be contacted, then a school counsellor or a staff member who is of the same sex as the student will attend in support of the student. If the student still maintains that they will not agree to the search being carried out, such refusal will be dealt with as a disciplinary matter.
- While random drug testing of just any student is not allowed, students whose suspension has been lifted on condition that they attend a drug programme and may be requested to take drug testing for a determined period of time is permitted.