



The Catlins Area School

Currently under review

We are reviewing this policy for its content and how well the school implements it. To share your comments and rate its implementation, click the "Start your review" button. This policy's subtopics are also under review if they have a review button.

About the review process ⓘ

[Start your review](#)

Searches, Surrender, and Retention of Property

The Catlins Area School provides a safe learning environment and minimises distractions for our students. We respect the privacy and emotional wellbeing of our school community and protect them from items that are likely to endanger safety, detrimentally affect the learning environment, or are harmful. To achieve this, we may need to request the surrender of items or conduct a search.

Everyone has the right to be protected against unreasonable searches or seizure under the New Zealand Bill of Rights Act 1990, and the Human Rights Act 1993 protects against discrimination. See **Inclusive School Culture**. Our school follows the Ministry of Education Guidelines for the surrender and retention of property and searches. Our usual **behaviour management strategies** apply at all times. An item does not need to be surrendered or retained for us to act on good information. We apply our behaviour management strategies if the student refuses to surrender an item or submit to a search, and consider contacting their parents/caregivers or the police.

This policy applies at school and all **Education Outside the Classroom (EOTC)** events.

Safety of the community

We understand that our school community and the public expects us to provide an environment free from alcohol and drugs, and weapons. Our school:

- makes our community aware of which items are prohibited and the consequences of bringing a prohibited item to school or school events
- has guidelines around the surrender and retention of property, including **digital devices**
- has guidelines for **searches** and keeping records of searches
- ensures that all staff members understand the guidelines and their authority to act within them.

Prohibited items include:

- knives, other weapons, and weapon parts
- alcohol, drugs, and other substances
- cigarettes, cigarette lighters, and matches
- vapourisers (vapes) and vaping products
- pornographic or offensive material.

Authorisation of staff

The board is responsible for authorising non-teaching staff members to request the surrender of an item or conduct a search. They keep a list of the names and positions of authorised staff members. The list is available for inspection at the school.

At The Catlins Area School, the principal and deputy principal can request the surrender of an item, and retain or dispose of the item.

At The Catlins Area School, the board has authorised the principal and deputy principal to conduct searches.

The written authorisation from the board specifies whether the staff member may request the surrender of items and/or conduct searches. The board gives a copy of this authorisation to the authorised staff member. The staff member must let the board know they've received it as soon as practicable. The board can revoke this authorisation at any time.

Item categories

Teachers or authorised staff members can request the surrender of items that they have reasonable grounds to believe:

- will **endanger safety**
- detrimentally **affect the learning environment**
- or be **harmful**.

They can only **search** the outer clothing of a student for harmful items. Staff members need to make reasonable judgements about which category an item falls under, if any.

Retention of property

Depending on the item and the circumstances, we retain an item for a period or dispose of it. We take reasonable care of retained items and details are kept of any item retained for two or more school nights. Details include the date, name of student, name of staff member, and any other relevant details.

Other appropriate actions may be taken, including behaviour management, counselling, contact with parents/caregivers, and/or contact with the police.

In most cases, surrendered items are available for collection at the end of the day. Cellphones must be collected by a parent or caregiver.

The principal assures the board that all procedures relating to search, surrender, and retention have been followed. The principal confirms that a written record has been kept of all surrenders and searches, and retention of any property held for more than 2 nights. The principal assures the board that authorisation of non-teaching staff is specified in writing, and that staff members receive a copy and acknowledge the receipt in writing. See **Review Schedule and Board Assurances**.

Related policies

- **Behaviour Management**
- **Privacy Policy**
- **Personal Information**
- **Alcohol, Drugs, and Other Harmful Substances Policy**

Legislation

- Education and Training Act 2020
- Education (Surrender, Retention, and Search) Rules 2013
- New Zealand Bill of Rights Act 1990
- Human Rights Act 1993

- Privacy Act 2020

Resources

- Community Law: [Searching students and confiscating items](#) 

Release history: [Term 1 2024](#), [Term 4 2022](#), [Term 3 2022](#)

IN THIS SECTION

Searches

Surrender and Retention of Digital Devices

Last review	Term 2 2022
Topic type	Core