

**SURVEILLANCE, SEARCH AND SEIZURE****Rationale:**

The school has a duty to protect students and staff from harm and to safeguard their property.

Purpose:

The purpose of this policy is to provide guidelines for the use of surveillance, search and seizure techniques and processes in situations where management has reasonable grounds to suspect wrongdoing.

Scope:

This policy applies to all students and staff.

Guidelines:**A. Surveillance:**

1. Where there is reasonable cause for the management of the school to suspect that a student and/or employee is engaging in or may engage in activities which are illegal, unethical, injurious or simply against the school rules or policies, some system of surveillance may be employed in order to apprehend the culprit and thus put a stop to the activities.
2. According to the circumstances, such surveillance may be overt (for example, use of mounted surveillance cameras) or covert (for example, use of a miniaturised camera to record suspected drug dealing).
3. In all cases, the person's right to privacy will be considered
4. Where a person is apprehended through the use of surveillance equipment he/she will have the right to view the evidence before any disciplinary action is taken against him/her.

B. Search

1. Where there is reasonable cause to suspect that a student is unlawfully in possession of something which is illegal in itself and/or potentially injurious and/or against the school rules or policies, a search of the student's possessions or person, may be instigated by a member of the Senior Management Team (or designated staff member). All searches will follow the protocols listed in the "Guidelines for the surrender and retention of property and searches".
2. Where a more comprehensive search maybe required, the student's parents shall be advised and their presence (or their representative) is requested. The police shall be asked to conduct the search. WBHS staff will make no physical contact with the student being searched.
3. Students may decline to have their person or possessions searched but must be advised that failure to consent may be taken into account as evidence against them.
4. From time to time where a staff member has reasonable cause to suspect that one or more members of a class may be unlawfully in possession of substance(s) or object(s), a search involving multiple members of the class may be conducted. Sections 1 and 3 above will apply in this case.
5. From time to time, the police or other agencies may be invited to bring in 'sniffer' dogs to search for drugs. This is to be seen as an important measure in the creation of a drug-free environment.

**C. Seizure**

1. Where a student is found to have in his possession an illegal and/or injurious item it must be confiscated by a staff member. If it is an item which is simply in contravention of the school rules or policies, this should be confiscated by a staff member.
2. A student, who fails to hand over such an item on request, will be held to be guilty of defiance to an instruction and thus liable to discipline.
3. Any item confiscated is to be put (named and dated) in a safe place by the staff member concerned and the student advised when and under what conditions the item may be returned. For these purposes, the Student Centre is deemed to be a safe place, as well as the office of Principal, DP or APs.
4. Illegal items will not be returned.
5. Other items may be claimed immediately by the parents of the student provided they do so in person via the School Office.
6. In general, other items will be available to the student within a week of confiscation. Items not claimed after six months will be disposed of.
7. Where an item is repeatedly confiscated, its return may be delayed.
8. The school accepts no responsibility for the loss of any confiscated item where possession of the item is illegal or contrary to the school rules

Related policies:

1. Safe School
2. Drugs, Alcohol and other Mind-Altering Substances

References or Sources:

1. National Administration Guideline 5
2. 'Guidelines for the surrender and retention of property and searches', MoE 2014
3. Education Act 1989
4. Education (Surrender, Retention & Search) Rules 2013

Review details:

Review Date	Reviewed by
March 2017	SMK
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Management Contact:

Principal