



Fact sheet

Temporary removal of student property by school staff

Under certain circumstances, the removal of property in a student's possession may be necessary to promote the caring, safe and supportive learning environment of the school, to maintain and foster mutual respect between all state school staff, students and visitors.

Power to remove property from students

As per the [Education \(General Provisions\) Regulation 2017](#), the principal or state school staff member may remove from a student at the school any property in the student's possession if the principal or staff member is satisfied the removal is necessary—

- to promote the caring, safe and supportive learning environment of the school; or
- to maintain and foster mutual respect between staff members and students at the school; or
- to encourage all students attending the school to take responsibility for their own behaviour and the consequences of their actions; or
- to provide for the effective administration of matters relating to students of the school.

Key information

- Each school's [Student Code of Conduct](#) details information about the Temporary removal of student property by school staff procedure.
- Consent is not required** to search school property such as lockers, desks or laptops that are supplied to the student through the school.
- If student property is illegal to possess, likely to threaten the safety or wellbeing of students or staff, or is reasonably suspected to have been used to commit a crime, the property or the bag it is in should be seized immediately and retained for handing to police.
- Under normal circumstances state school staff are not permitted to search student property unless they have the consent of the student or parent.
- In emergency circumstances it may be necessary to search a student's property without the appropriate consent (e.g. to access an EpiPen for an anaphylactic emergency).
- State school staff do not have the authority to search the person of a student. If a search is considered necessary, the police should be contacted to make such a determination.

Principals

- Ensure school staff are aware of the responsibilities outlined in the [Temporary removal of student property by school staff procedure](#) that must be followed when temporarily removing property from students.

- Ensure parents and students are:
 - informed of the procedure which enables state school staff to temporarily remove student property
 - aware of the right to refuse permission for school staff to search student property, and that police may be called if consent is not provided.
- Include within their [Student Code of Conduct](#):
 - that state school staff may remove property without the consent of parents or students
 - the limits on state school staff accessing information from temporarily removed property, such as mobile phones
 - examples of property that may be temporarily removed
 - examples of the amount of time certain property may be temporarily removed
 - that student property may be seized by the police.

State school staff (including principals):

- Where there is suspicion that the student has a dangerous item in their possession, seize student property immediately and remove from the student's access prior to seeking consent or contacting Queensland Police Service.
- Follow appropriate processes outlined in the [Student Code of Conduct](#) regarding:
 - temporary removal of property
 - access to information on temporarily removed property
 - return of temporary removal of property
 - circumstances where temporary removal of property need not be made available for collection
 - deciding a reasonable time to make temporary removed property available for collection.

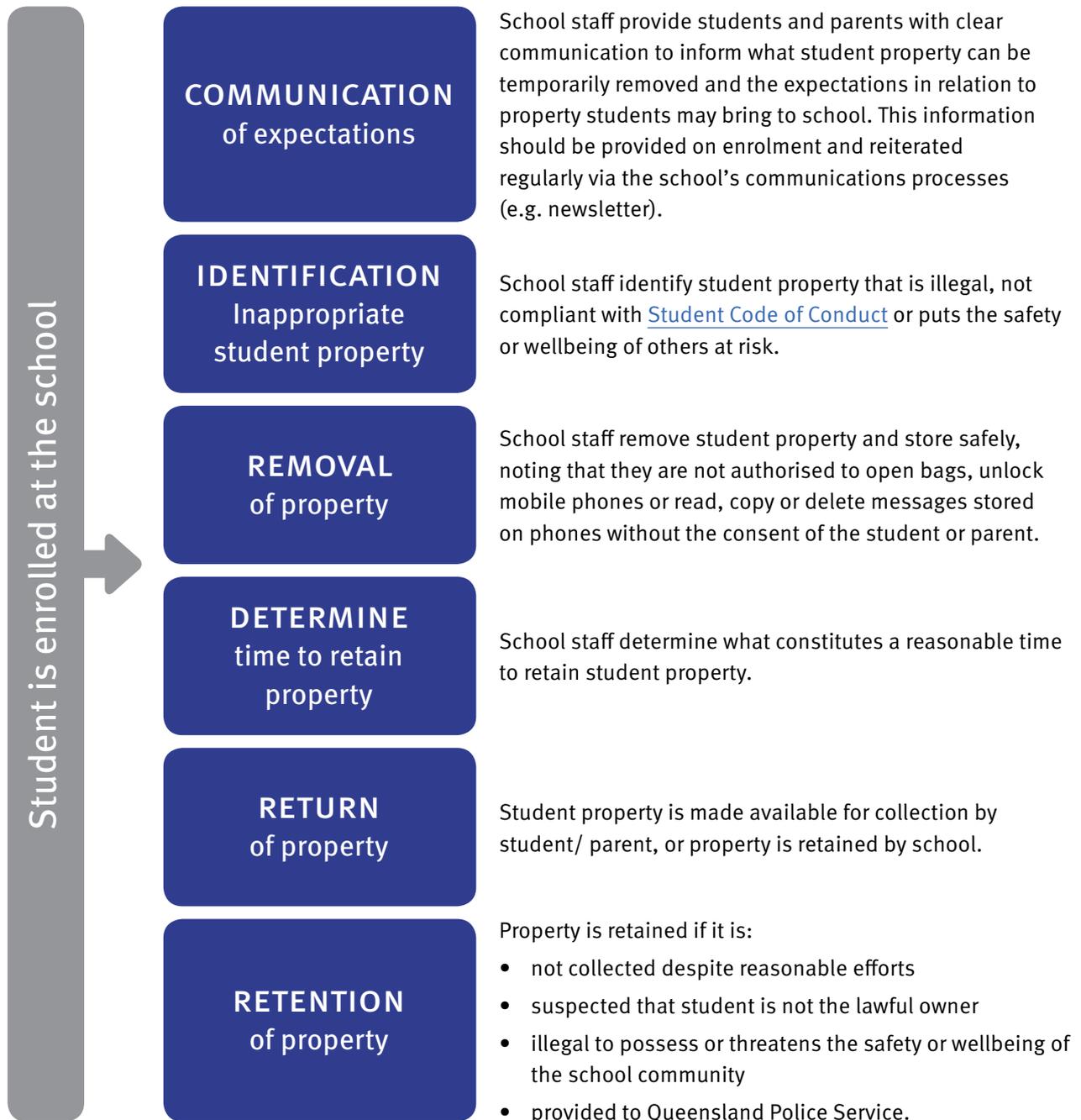
Students and parents

- Ensure they/their children do not bring property onto school grounds or other settings used by school that:
 - is prohibited according to the school's [Student Code of Conduct](#)
 - is illegal
 - puts the safety or wellbeing of others at risk
 - does not preserve a caring, safe, supportive or productive learning environment
 - does not maintain and foster mutual respect.
- Collect their/their child's property as soon as possible after they have been notified the property is available for collection.



Temporary removal of student property by school staff flowchart

Refer to the [Temporary removal of student property by school staff](#) procedure for detailed process.



Resources

- [Code of Conduct for the Queensland Public Service](#)
- [Department of Education standard of practice](#)
- [Education \(General Provisions\) Regulation 2017](#)
- [Temporary removal of student property procedure](#)
- [Fact sheet – Student Code of Conduct](#)
- [Principal guidelines – student discipline](#)