



WEAPONS AND OTHER HARMFUL ITEMS - BANNING, SEARCHING AND SEIZING POLICY

Policy 2025-2027



Help for non-English speakers

If you need help to understand this policy, please contact Roxburgh College on 9930 8100

Policy:

The purpose of this policy is to:

- Support Principal Class staff to understand and implement their powers to ban, search for and seize harmful items.
- Inform the School Community of the School's expectations and obligations with respect to this matter.

Summary:

- Principals have the power to ban items from being brought onto school premises if the principal reasonably believes the item is likely to be used in a threatening, violent or harmful manner.
- Principals, Assistant Principals and authorised teachers also have the power to search for and seize harmful items.
- Any ban, search or seizure of a harmful item must be conducted in accordance with this policy.

Scope:

Principals and assistant principals have the power to ban, search for and seize certain harmful items under the Education and Training Reform Act 2006 (Vic) (the Act) and the Education and Training Reform (School Safety) Regulations 2011 (Vic).

Harmful items within the banning, searching and seizing powers

Under the Act, a harmful item, for the purpose of the banning, searching and seizing powers, is:

- any item(s) that the principal has declared as a harmful item and banned using their powers under the Act
- any item that is a prohibited item (outlined in legislation covering firearms, controlled and prohibited weapons, such as firearms, ammunition, certain knives, blow guns, studded gloves)
- any item that the Principal, Assistant Principal or authorised teacher reasonably suspects is being used or is likely to be used in a threatening, violent or harmful manner

Declaring and banning harmful items:

A principal may ban items from being brought on to school premises which the principal reasonably believes are likely to be used in a threatening, violent or harmful manner and list them on the 'Declaration of Harmful Items'.

In making a declaration:

- Principals must state as exempt from any declaration, items which students may legitimately possess (for example, for religious purposes or as a disability aid).
- Principals do not need to explicitly ban prohibited items.

Declaring and banning the harmful item(s) clearly communicates the school's expectations and provides a deterrent, as the declaration provides a clear basis for searching and seizing the banned item.

- See 'Declaration of Harmful Items' attached to the end of this policy
- This Declaration of Harmful Items is **not a prerequisite for searching for or seizing any item(s)** that the principal, assistant principal or authorised teacher reasonably suspects is being used, or is likely to be used, in a threatening, violent or harmful manner (that is schools always retain the discretion to respond on an ad hoc basis to incidents or risks of violence or harm).

Searching for and seizing harmful items

Principals or their delegates must only search for and seize a harmful item under the Act when it is safe to do so. The seized item must be stored safely as outlined in this policy.

As outlined above, a principal, assistant principal or authorised teacher can search for and seize any item that they reasonably suspect is being used, or is likely to be used, in a threatening, violent or harmful manner, irrespective of whether it has first been declared as harmful and banned.

Where a school activity is taking place and neither the principal nor assistant principal are present, they may **authorise a teacher to search** and seize the harmful item. The Guidance tab outlines the process of authorising teachers. However, a teacher may refuse to be authorised, for the purpose of searching for and seizing a harmful item.

Other items that may be considered harmful

Principals **should not** utilise their powers to ban, search for and seize certain items under the Act. These items are:

- Cigarettes, e-cigarettes (including vapes) and alcohol – schools should manage this item by asking the student to **relinquish the item** and, as soon as practicable, return it to the student's parents.
- Illicit drugs – schools must always **contact police** as soon as illicit drug possession is identified and ask them to seize the illicit drugs from the student (note: possession of illicit drugs is an offence).
- Mobile phones – student use of mobile phones at school or school activities must be managed in accordance with the School's and Department's policy on [Mobile Phones — Student Use](#).

Powers to search for and seize harmful items

Searches

Note: for the purpose of this Searches section a reference to 'principal' includes an assistant principal and an authorised teacher.

Considerations prior to conducting a search

A search cannot be carried out unless:

- The principal reasonably suspects that the search will uncover harmful items and
- The principal reasonably believes that the search can be conducted in a manner that does not unduly threaten the safety of themselves, students or other school staff

When determining whether a search for a harmful item should be carried out, the following factors should also be considered:

- whether it is likely that the harmful item will be used by a student
- the source and veracity of information regarding the presence of a harmful item

Search locations

Where there is a reasonable belief that a search will uncover a harmful item, the principal has the power to search for and seize such an item in the following places:

- any part of the **school premises**
- any part of **another premise** that is being occupied by students of the school engaged in a teacher supervised school activity.
- any vehicle while it is being used for the purposes of a teacher supervised student activity
- **any bag or other item used by a student for storage** that has been brought by the student onto the school premises or to a school activity off school premises

Conducting a search

When conducting a search, the principal may:

- require any locked room, cupboard, locker (including the **student's locker**) or other space that is being used for storage on the premises to be unlocked
- require any student to open **any bag** or other article being used by the student for storage
- ask a student to **turn out their pockets**
- ask a student to disclose whether or not the student is concealing a harmful item

If a student seeks to obstruct a search, the following action can be taken:

- if the principal believes that there is an immediate threat to the safety, security or wellbeing of a student or staff member, the principal or delegate should **contact Victoria Police**
- if the principal believes that there is not an immediate threat to the safety, security or wellbeing of a student or staff member, they should **contact the parent/carer of the student** and alert them to the circumstances and require the item not to be brought to school in the future

Note: A principal is not permitted to physically touch or pat down a student to search for a harmful item but may ask a student to turn out his or her pockets, open any bag, locker (where the locker is locked and can only be unlocked by the student) or other item brought to school by the student, and to disclose whether or not a student is in possession of a harmful item. A student who does not comply with a direction to open a bag or locker or to turn out his or her pockets should be subject to school disciplinary procedures. If the principal believes the student is concealing a harmful item, the principal should use his or her discretion as to whether to call Victoria Police.

If a principal reasonably suspects that a search will uncover a firearm, ammunition or a prohibited weapon, the principal must contact Victoria Police and only conduct a search if:

1. The principal reasonably suspects that there is a threat to the safety, security or wellbeing of a student or staff, which in the reasonable opinion of the principal requires immediate action to be taken to reduce that threat, and
2. The search can be carried out in a manner that does not unduly threaten the safety of the principal, student(s) or other school staff, and
3. Other reasonable actions have been considered, including the practicality of Victoria Police carrying out the search.

Action to be taken after a search and seizure

Seizure of firearm, ammunition or prohibited weapon

If a firearm, ammunition or prohibited weapon is seized by a principal, the item must be stored in the following manner until surrendered to Victoria Police:

1. The item is to be stored in a locked strongbox, safe or other secure container in a locked room

2. Access to the room containing the seized item must only be granted by the principal or assistant principal
3. If none of the above is practicable in the circumstances, the items must be stored in as safe and secure a manner as possible.

The principal must report the seizure of a firearm, ammunition or prohibited weapon to Security Services Unit of Security and Emergency Management Division.

Seizure of an item which is not a firearm or prohibited weapon

A harmful item includes an item that has been declared to be a harmful item by a principal or an item which, due to the circumstances, has become a harmful item, e.g. a screwdriver has been used by a student to threaten another student and / or teacher.

The principal must notify Incident Support and Operations Centre (ISOC) immediately to report the seizure of certain items and then contact Victoria Police.

The following items should be reported to ISOC and Victoria Police as soon as practicable:

1. Any knife, dagger, sword or serrated blade, or
2. Any item that is used in an attack or threatened attack against another person, or
3. Any 'controlled weapon'

The seized item is required to be stored in a safe and secure manner, such as a locked cupboard, with access permitted only by the principal.

If the item has been seized while on a teacher-supervised activity, the item is to be stored securely and safely by the individual who seized the item.

Any seized item is to be retained by the principal until the principal is satisfied that there is no longer a threat to the safety, security or wellbeing of any person or property. This is a significant discretion, and the principal can retain the item until he or she reasonably believes that there is no longer a threat from returning it. Such discretion could last for an hour, a day, a week or longer, provided that the principal reasonably believes that the threat of danger continues to exist.

When determining the degree of threat to the safety, security or wellbeing of any person, the following considerations are to be taken into account:

1. The nature of any threat to use the harmful item
2. The nature of the harmful item
3. The likelihood of any students using a harmful item to threaten the safety, security or wellbeing of any person
4. Any other circumstances relating to the item or incidents related to the item that may be relevant

Once the principal is reasonably satisfied that there is no longer a threat to the safety, security or wellbeing of any person or property, a seized item should be returned in the following manner:

1. The item is to be returned to a parent or carer of the student
2. Where the child is an independent student it may not be appropriate to make the property available for collection by the student's parents/carers and the property should be returned to the student
3. The property made available for collection should be in the same condition as when the property was seized
4. If the owner of the item is unknown, reasonable steps should be made to ascertain the owner. After reasonable steps have been taken and the owner is still unknown or in dispute the item should be disposed of at the discretion of the Principal or as directed by Victoria Police

An item that is illegal to possess, threatens the safety or wellbeing of students or staff, or that the principal reasonably suspects to have been used to commit a crime, should not be made available for collection by a student or the student's parent/carer. In such circumstances the principal must notify Victoria Police of the seizure of the property, and:

1. If Victoria Police state that they will come to the school to investigate matters relating to the property, the property must not be returned to the owner or their parent/carer until they do so, or
2. If Victoria Police seize the property, the property need not be made available by the school for collection

If Victoria Police decide not to seize the property, and the principal reasonably believes that the return of the item does not pose a continuing threat to the safety or wellbeing of students or staff, the item must be made available for collection by the parent/carer of the student.

Relevant legislation

- [Control of Weapons Act 1990 \(Vic\)](#)
- [Control of Weapons Regulations 2011 \(Vic\)](#)
- [Education and Training Reform Act 2006 \(Vic\)](#)
- [Education and Training Reform \(School Safety\) Regulations 2011 \(Vic\)](#)
- [Firearms Act 1996 \(Vic\)](#)

Communication:

This policy will be communicated to our school community in the following ways:

- Included in staff induction processes
- Discussed at staff briefings or meetings, as required
- Included in our staff policy handbook
- Made available in hard copy from school administration upon request
- Uploaded to our school website

Policy Review and Approval:

Policy last reviewed	August 2025
Approved by	Principal and School Council
Next scheduled review date	August 2027

Appendices which are connected with this policy are:

- APPENDIX A: DECLARATION OF HARMFUL ITEMS

APPENDIX A



Declaration of Harmful Items

The following listed item(s) are declared as **harmful** and as a consequence, are **banned** from the school premises under the conditions set out in the declaration.

Type of item being declared:

Glass bottles	Either empty or containing a drink
Vapes	
Cigarettes	
Lighters	
Marijuana and similar illegal substances	
Knives	All types including toy models
Guns	All types including toy models
Chemicals	Any type
Batons	Any type & size
Fire Crackers	All types
Sharp and/or jagged instruments	Metal, plastic or wooden

Conditions attached to the declaration

Time item is to be declared as harmful:

- During school hours, including before and after school.

Day(s) item is to be declared as harmful:

- Monday to Sunday – as the school is used by other organisations on weekends.

Exceptions to the ban:

For example, the use of the item in particular classes or under particular circumstances. Exceptions can be listed on a separate page.

- Knives used in Cooking & Hospitality classes under teacher supervision.
- Sharp and/or jagged instruments used in Art, Ceramics and Technology subjects under teacher supervision.

Fernando Ianni

College Principal

Signature:

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