



Drug, Alcohol and Substance Misuse Policy

Devised: November 2021 by Tim Nash

Review Date: October 2023

1. Introduction

This policy covers the use and misuse of all psychoactive substances by students. Substances covered by the term ‘drugs’ in this policy include illegal drugs, tobacco, alcohol, solvents and prescription or over-the-counter-medicines (used for purposes other than those for which they were prescribed/intended).

The definition of a drug given by the United Nations Office on Drugs and Crime is:

‘A substance people take to change the way they feel, think or behave’

The term ‘drugs’ and ‘drug education’, unless otherwise stated, is used throughout this document to refer to all illegal drugs controlled by the Misuse of Drugs Act 1971 and the Act’s amendments, i.e. Drugs Act 2005.

2. Purpose of Policy

The purpose of this Policy is to:

- Clarify the school’s approach to drugs for all staff, students, parents/guardians and the wider community
- Clarify the legal requirements and responsibilities of the school
- Ensure the school is fulfilling its safeguarding responsibilities by ensuring that students are protected from harm and that those for who drugs are a concern, receive the appropriate care and support
- Give guidance on developing, implementing and monitoring the drug education programme
- Enable staff to manage drugs, alcohol and illegal substances on the school premises, and any incidents involving such that may occur, with confidence and consistency, and in the best interests of those involved
- Ensure that the response to incidents involving drugs, alcohol and illegal substances complements the overall approach to drug education and the values and ethos of the school

3. Drug Education

The School recognises its duty to promote children and young people’s wellbeing and is also required to promote students’ spiritual, moral, social and cultural development. As part of this the School has a responsibility to help young people manage risk, reducing the likelihood they may be harmed by use of legal and illegal drugs.

The aims of the School’s drugs education curriculum are to:

- Increase knowledge and understanding, clarifying misconceptions about the short and long term effects of drugs, laws relating to drugs, the impact of drugs on families, communities, and personal behaviour, the prevalence and acceptability of drug use among peers, and the moral, social, and emotional issues surrounding drugs
- Develop young people’s personal and social skills to make informed decisions to stay safe and healthy including finding information and advice and devising coping strategies
- Enable young people to explore their own and other peoples’ attitudes towards drugs, drug use, and users.

The School will ensure that when students at Key Stage 3 learn about the effects and risks of drugs and the laws relating to drugs they will learn the skills to recognise and manage risk and to resist pressures. They will develop the skills to make choices for a healthy lifestyle and learn about where to go for help and advice.

The School will ensure that, at Key Stage 4, students build on their knowledge and learn more about the effects of drug misuse on family, friends, community and society and that they gain greater understanding through clarifying their opinions and attitudes in discussions and debate and considering the consequences of their decisions.

Drug Education will be delivered via the Science Curriculum and PSHE lessons.

Inviting External Agencies: The School recognises that students often find visitors to school a useful and informative part of their learning, but equally we know that for visits to be successful there needs to be shared understanding about the nature and content of the session/s. As a result, the School will ensure the following measures are adhered to when using external agencies to deliver drugs education:

- Negotiate content with the visitor to take account of class needs and ensure relevance
- Ensure that visitors have a clear understanding about the aims and objectives of the session and that they have seen and understood the school's drug education policy
- Ensure that visitors have been briefed on any particular sensitivities that there may be in the student group – these may include identified drug issues by particular students or their families – as well as any broader needs within the group
- Ensure that where visitors are used that the content of the session is linked back to the broader drug education and PSHE delivered by the school
- Be present at all times when a visitor is in the class, and be ready to be an active participant in these sessions
- Ensure that they reflect on the learning from particular sessions with students and visitors, assessing the learning, and building skills and pro-health attitudes
- Follow up any unresolved issues and, whenever needed, extend the learning begun by the visitor, in a subsequent lesson
- Be alert to any distress caused or concerns raised in the session and ensure that appropriate support is given

4. Managing Drug Related Incidents

This section of the policy has due regard to the government's guidance on managing drug-related incidents, namely DfE's (2012) Drugs Advice for Schools, (2014) Searching, Screening and Confiscation and this policy also has due regard to HM Government's (2015) 'Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children' statutory guidance (see Section 11 for links to all guidance).

The School will operate a zero-tolerance policy towards drug use or supply on the premises. This will include students arriving under the influence of substances. When dealing with drug-related incidents, all incidents should be recorded (see Appendix 3 for a copy of the form) and the following procedures will apply (See also Appendix 1: the flowchart for 'Managing Drug Incidents').

5. Suspected Intoxication

If a student is found to be, or suspected of being, under the influence of drugs or alcohol, a member of the SLT will be notified, the student's family and home institution informed. The student will be referred to the local substance misuse service, Catch 22. If the School is aware that the student is known to the local authority's children's services, the details of this incident should also be shared with the named social worker as soon as is reasonably possible.

6. Suspected Possession of Alcohol or Drugs

If a member of staff suspects that a student is in possession of alcohol or drugs he/she will inform a member of the SLT. They will ask the student to empty their pockets or bags. If the student refuses, parents, carer or social worker and the police may be contacted to conduct the search. SLT will ensure that they conduct the search in the presence of another member of staff or may authorise a female member of staff to do so if the student is female. If the School is aware that the student is known to the local authority's children's services, the details of this incident should be shared with the named social worker as soon as is reasonably possible.

The School has a responsibility to hand any illegal drugs so discovered to the police. If the police cannot attend by the end of the day, the School may send a representative to deliver the drug to the nearest police station having first contacted the police by an established method to inform them of their route and mode of transport. The school will notify the parents and refer the student to Catch 22 for support, assessment and onward referral where appropriate. If, however, the substance discovered was a Class A drug the School will consider taking steps to exclude whilst at the same time referring the student for support to Catch 22.

7. Suspected Supplying of Drugs

If a student is found with a quantity of drugs that arouses suspicion of supplying drugs to others the police will be informed and, unless there are exceptional circumstances, the School will consider taking steps to permanently exclude the student. Along with this, the School will seek to secure consent from the student to refer the student for support to Catch 22. If the School is aware that the student is known to the local authority's children's services, the details of this incident should be shared with the named social worker as soon as is reasonably possible.

8. Suspected Supplying of Drugs Outside Premises

If it is suspected that a student is involved in the supply of drugs outside the School, the police will be contacted and the student's parents informed. If the School is aware that the student is known to the local authority's children's services, the details of this incident should be shared with the named social worker as soon as is reasonably possible. If the student is supplying drugs to other students in school, the school may consider permanent exclusion.

9. Police Actions and Interventions

The Police and Criminal Evidence Act 1984 allows the police to enter premises with consent in order to execute a warrant, arrest someone for an offence, search following an arrest, prevent a breach of the peace, or pursue a suspected offender. However, the police cannot demand by right to know whom a drug was confiscated from and there is no obligation to pass on this information.

The offence of obstruction involves a positive and actively obstructive act, such as the physical concealment of illegal drugs or of a person who possesses them, or helping such a person to escape for example by creating a diversion or providing means of transport.

10. Searching Students

Under the Education and Inspections Act (2006) the Head teacher and authorised staff have a statutory power to search a student or students or their possessions, without consent, where we have reasonable grounds for suspecting that the student may have a prohibited item. The Head teacher or the Head of School can carry out a search. The staff member carrying out the search must be the same sex as the student being searched and there must be a witnessed by another staff member and, if at all possible, they should be the same sex as the student being searched. When conducting a search:

- The person conducting the search may not require the student to remove any clothing other than outer clothing
- 'Outer clothing' means clothing that is not worn next to the skin or immediately over a garment that is being worn as underwear but 'outer clothing' includes hats, shoes, boots, socks, gloves and scarves
- 'Possessions' means any goods over which the student has or appears to have control – this includes desks, lockers and bags. A student's possessions can only be searched in the presence of the student and another member of staff, except where there is a risk that serious harm will be caused to a person if the

search is not conducted immediately and where it is not reasonably practicable to summon another member of staff

- The power to search without consent enables a personal search, involving removal of outer clothing and searching of pockets; but not an intimate search going further than that, which only a person with more extensive powers (e.g. a police officer) can do
- Under common law powers, schools are able to search lockers and desks for any item provided the student agrees. Schools can also make it a condition of having a locker or desk that the student consents to having these searched for any item whether or not the student is present
- Members of staff can use such force as is reasonable given the circumstances when conducting a search for illegal drugs (see Section 11 for DfE Guidance on use of Reasonable Force).
- If a student does not consent to a search (or withdraws consent having signed a consent form) then it is possible to conduct a search without consent but only for the “prohibited items.”

Prohibited items include:

- Knives or weapons
- Alcohol
- Illegal drugs
- Stolen items
- Tobacco, e-cigarettes and vapes, cigarette papers and matches
- Fireworks
- Pornographic images

Any article that the member of staff reasonably suspects has been, or is likely to be used to commit an offence, to cause personal injury to, or damage to the property of, any person (including the student).

11. Handling Suspected Illegal Substances

Schools' general power to discipline, as set out in Section 91 of the Education and Inspections Act 2006, enables a member of staff to confiscate, retain or dispose of a student's property as a disciplinary penalty, where reasonable to do so. In addition, Section 5 of the Misuse of Drugs Act 1971 makes lawful provision for a person, in order to prevent the commission or continuance of an offence, to take possession of a controlled drug and either destroy it as soon as reasonably practicable, or hand it to a police officer for identification and destruction.

The School does not expect staff to destroy suspected illegal substances. Any illegal substances found by all staff under any circumstances must be handed over to the police at the earliest possible opportunity. The find must be witnessed by at least one other staff member in addition to the finder, the fact recorded and the drug held in a safe location until the police have dealt with the matter. Be sure to include the following information:

- Description of item
- Time, date and place of seizure
- Full details from whom item seized and under what circumstances
- Details of member of staff seizing the item
- Signatures of witness(es)

The item must be appropriately stored and not taken home, as the law is very specific regarding the disposal of controlled drugs and handling of them by unauthorised persons. Any storage, no matter how well intentioned (except while waiting for the police to collect it, once they have already been informed), is technically unlawful possession of a controlled drug.

If the police cannot attend quickly enough to remove the substance before the close of the day, the person in charge should inform the police that, in order that they are not breaking the law by possessing drugs on premises, they will be taking the drug to the nearest police station. They should give full details of their mode of transport

and route and the name of the officer or number of the recorded message line they contacted to inform them of this course of action.

Where the staff member finds other substances which are not believed to be controlled drugs these can be confiscated where a teacher believes them to be harmful or detrimental to good order and discipline. This would include, for example, so called ‘legal highs’. Where staff suspect a substance may be controlled they should treat them as controlled drugs as outlined above.

12. Information Sharing

All issues relating to confidentiality and information sharing will be in a context that is legal and is approved of and known by the senior leadership team. The importance of confidentiality cannot be underestimated. A student seeking help or advice about drugs or substance use is not going to disclose to a trusted staff member if they believe that the information will immediately be shared with their parents or the police. At the same time, it is essential that teachers work within the law. The vital ingredient in the development of any successful working relationship between the teacher and young people is trust. A young person sharing personal issues with a staff member can often expect that confidentiality will be maintained. However, staff know that this is not always possible and they cannot nor should promise total confidentiality. They must explain clearly with students the circumstances under which information may need to be disclosed and to whom.

13. Judging Competency & Parental Involvement:

A young person aged 16 or 17 or a child under 16 who has the capacity to understand and make their own decisions may give or refuse consent to sharing. Children aged 12 or over may generally be expected to have such understanding. In most cases where a teacher has judged that the child is not competent to consent, a person with parental responsibility should be asked to consent on behalf of the child.

The Children’s Act (2004) states that it is the duty of teachers to ‘assist in the enhancement and maintenance of effective relationships between parent and child’. The parent of the child can therefore claim that they have a legal and moral right to be involved in the care of a young person if their participation will add to their child’s wellbeing. The Children’s Act defines ‘parental responsibility’ as, ‘all rights, duties, powers, responsibilities, and authority which by law a parent of a child has in relation to the child and his property’.

14. Protecting a Young Person’s Confidentiality:

Professionals working with young people have a duty of confidentiality to young people and are not legally obliged to inform parents of a young person’s drug use. In a situation where a young person’s drug use has been disclosed by themselves or others, the School must follow their Child Protection policy in deciding whether or not to share information. The member of staff must assess the impact on the young person of informing the parents of their child’s alleged drug use and be very clear of the potential results of a disclosure. Any decision must be demonstrated to be made in the public interest as defined below. Decisions and discussions with senior staff must be documented clearly and accurately at the time and not retrospectively.

15. Sharing Information without Consent Disclosure:

This may be made if such a disclosure is considered to be in the public interest. Each case must be decided on its own merits. In making the decision the School must weigh up what might happen if the information is shared against what might happen if it is not, and make a decision based on a reasonable judgment. There are public interests, which in some circumstances may weigh against sharing, including the public interest in maintaining young people’s confidence in the confidentiality of the School as a source of help.

16. Sharing confidential information without consent will normally be justified in the public interest:

- When there is evidence that the child is suffering or is at risk of suffering significant harm
- Where there is reasonable cause to believe that a child may be suffering or at risk of significant harm
- To prevent significant harm arising to children and young people or serious harm to adults, including through the prevention, detection and prosecution of serious crime. Serious crime means any crime that causes or is likely to cause significant harm to a child or young person or serious harm to an adult.

The key factor in deciding whether or not to share confidential information without consent is proportionality, i.e. is the information you wish to, or are asked to share, a balanced response to the need to safeguard a child or another person, or to prevent or detect a serious crime? Whether the decision is to share information or not, the reasons for the decision should always be recorded in writing.

Information sharing: The School will ensure that information is shared in a proper way. This means:

- Sharing the information which is necessary for the purpose for which it is being shared
- Sharing the information with the person or people who need to know
- Checking that the information is accurate and up-to-date
- Share it in a secure way
- Establish with the recipient whether they intend to pass it on to other people and ensure they understand the limits of any consent which has been given
- Inform the person to whom the information relates and, if different, any other person who provided the information, if you have not already and it is safe to do so.

17. Medicines and Legal Medicinal Drugs

Students are forbidden to bring any harmful drugs into school unless they are for medication. The parent must contact the school's matron to discuss and ensure that all prescribed medicines that are in date, labelled, provided in the original container as dispensed by the pharmacist and include instructions for administration, their dosage and storage.

Facilities exist for students to keep supplies of some medicines and other medical supplies in the first aid room. If a student needs to keep medicines in the first aid room s/he should bring them to the medical room with a completed medical consent form (accessed on the school website). The prescribed medicines must be in date, labelled, provided in the original container as dispensed by the pharmacist and include instructions for administration, their dosage and storage.

Where appropriate, students will always be expected to self-administer their medicine and are asked to take any medication within sight of a qualified first aider. Antibiotics should not need to be brought into school, except on the advice of a qualified medical practitioner.

We will only administer non-prescribed medicines that are in the original packaging with parental consent e.g. eye drops, Feminax, Gaviscon, cough medicine. This will also only be on a short term basis (where the school has concerns they will seek further guidance from their link School Nurse).

It is our policy to give age appropriate doses of paracetamol, ibuprofen and antihistamine to secondary age students as described on the packet, if consent from the parents has been received in advance of administration. This is usually through the medical consent completed during transition to Crestwood Community School. We will check with the student that they have not previously taken any medication containing paracetamol or ibuprofen within the preceding 4 hours. We will never administer aspirin to any student under 16 years old unless prescribed by a doctor. All other pain relief medicine will not be administered without first checking maximum dosages and when previously taken. For further information, please see Crestwood Community School "Supporting students with medical conditions" policy.

18. Policy Training

All relevant staff will be made aware of their responsibilities under this policy and will receive training and support relevant to their responsibility for its effective operation. In addition, staff will be trained in the referral procedure to access additional support and treatment services from external agencies.

19. Relevant Documents

Mentor (2014) Quality standards for effective alcohol and drug education

These standards are designed to help schools and those that work with schools to shape the context and delivery of alcohol and drug education. They draw on national and international evidence for what is effective and have been subject to wide consultation with practitioners.

<http://mentor-adepis.org/wp-content/uploads/2014/05/Quality-standards-for-alcohol-and-drugeducation.pdf>

DfE & Association of Chief Police Officers (2012) Drug advice for schools

This non-statutory advice produced jointly with the Association of Chief Police Officers (ACPO) is for school leaders, school staff, governing bodies and local authorities. This guidance does not focus on drug education. It covers broader behaviour and pastoral support, as well as managing drugs and drug-related incidents within schools.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/270169/drug_advice_for_schools.pdf

DfE (2014) Searching, screening and confiscation - Advice for head teachers, school staff and governing bodies

This advice is intended to explain schools' powers of screening and searching students. In particular, it explains the use of the power to search students without consent. It also explains the powers schools have to seize and then confiscate items found during a search. It includes statutory guidance which schools must have regard to.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/279245/searching_screening_and_confiscation_advice_feb14.pdf

DfE (2013) Use of reasonable force: Advice for head teachers, staff and governing bodies

This is non-statutory advice from the Department for Education. It is intended to provide clarification on the use of force to help school staff feel more confident about using this power when they feel it is necessary and to make clear the responsibilities of head teachers and governing bodies in respect of this power.

<https://www.gov.uk/government/publications/use-of-reasonable-force-in-schools>

DfE (2021) Keeping children safe in education: Statutory guidance for schools and colleges

This is statutory guidance from the Department for Education issued under Section 175 of the Education Act 2002, the Education (Independent School Standards) Regulations 2014 and the Education (Non-Maintained Special Schools) (England) Regulations 2011. Schools and colleges must have regard to it when carrying out their duties to safeguard and promote the welfare of children.

<https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>

HM Government (2018) Working together to safeguard children: A guide to inter-agency working to safeguard and promote the welfare of children

This statutory guidance should be read and followed by local authority Chief Executives, Directors of Children's Services, LSCB Chairs and senior managers within organisations who commission and provide services for children and families, including social workers and professionals from health services, adult services, the police, academy

trusts, education, youth justice services and the voluntary and community sector who have contact with children and families.

<https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>