

<b>SECTION</b>	Student
<b>POLICY</b>	Drug & Alcohol
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## 1.0

## 2.0 Introduction

The misuse of Drugs Act 1971 is the main piece of legislation covering drugs. The different kinds of illegal drugs are divided into three different categories or classes. These classes [A, B and C] carry different levels of penalty for possession and supplying. These drugs are termed as controlled substances and Class A drugs are those considered to be the most harmful.

It is recognised that there are a broad range of possible drug and alcohol related incidents, which vary according to, among other things, the nature of the evidence of use/misuse and according to the nature of the substance used/abused. The Foundation's aim is to deal with all such incidents in a way that balances its legal, Health and Safety, welfare, educational and confidentiality responsibilities.

## 3.0 Offences Under the Act

- Possession of a controlled substance unlawfully
- Possession of a controlled substance with intent to supply it
- Supplying or offering to supply a controlled drug [even where no charge is made for the drug]
- Allowing premises you occupy or manage to be used for the purpose of drug taking].

## 4.0 Statement

It is an offence to possess a controlled substance unlawfully or to supply it, even where no charge is made for the drug, on Foundation premises. The Foundation is committed to being a drug free environment and it reserves the right to involve the police if drugs are found, used or supplied on the premises. It is also unacceptable for students to attend the Foundation under the influence of illegal drugs or alcohol.

## 5.0 Scope

All the students of the Foundation.

## 6.0 Purpose

- To protect the staff and students of the Foundation against the dangers of drug and alcohol abuse
- To provide a consistent course of action for staff who are involved in any cases of drug or alcohol abuse or suspected drug or alcohol abuse
- To provide a safe environment for the many and varied users of the Foundation, both part and full-time
- To encourage wider discussion in what has traditionally been a grey area
- To comply with the government publication 'Tackling Drugs Together', which states: 'Institutions of Further and Higher Education should be encouraged to provide appropriate prevention, counselling and support services for their students'.
- To offer support and encourage users to seek help from professional organisations - recognising that addiction is an illness.

## 7.0 Definition

Reference to drugs refers to illegal substances only, not to prescribed medication. [see Appendix A attached].

## 8.0 Different Types of Drug and Alcohol Related Incidents

### ***8.1 Emergency Intoxication/Influence: where intoxication/influence involves a perceived threat to the health, well being and/or safety of the individual[s] involved and others.***

Action will be immediate, this could be in the form of: being assessed by First Aider and referred for further medical treatment if necessary or student[s] being sent home under the care of a parent/carer or another. Parents/carers will be informed in all cases unless this would jeopardise the safety of the student. Disciplinary action and/or formal warning could follow depending on the severity of the incident. The Principal will decide whether the incident warrants disciplinary action depending upon circumstances.

### ***8.2 Non-Emergency Intoxication/Influence: where no immediate danger is apparent.***

Action: Student will be removed from the classroom and assessed by the First Aider and kept under supervision until the student is in control; the student may be allowed back into the classroom. The Tutor will decide whether a formal warning or disciplinary procedure could follow depending on the severity of the incident.

### ***8.3 Discovery: where an individual finds a student in possession of alcohol, or using what is thought to be, an illegal drug or drug related paraphernalia [eg syringe].***

Action: If a student is believed to be in possession of unauthorised alcohol, the alcohol will be removed and confiscated and the student will follow the disciplinary procedure [parent/guardian will be informed if appropriate]. If a student is believed to be in possession or taking illegal drugs the Principal will call the police. If the police investigation shows use of illegal drugs/using on the Foundation premises or intent to supply, the student[s] will go through the formal disciplinary procedure which would probably lead to expulsion; this action would be defined as gross misconduct.

### ***8.4 Disclosure, Suspicion or Rumour: where an allegation is made by a third party that a student is misusing drugs and/or alcohol, where this allegation may be substantiated by evidence.***

Action: The person deemed appropriate depending upon the student, may discuss the allegations and the possible consequences with the student[s]; the student[s] may be placed on the Foundation risk register. The student[s] will be warned that if they are under the influence or bring any alcohol or drugs onto the Foundation premises they will face disciplinary action.

## 9.0 Procedure

### ***9.1 One or more of the following actions may be recommended:***

- No further action
- Involvement of parent/guardian/carer
- Involvement of counsellor
- Involvement of outside agencies
- Disciplinary action.

If a member of staff finds a student[s] taking drugs or unauthorised consumption of alcohol [under 18 years of age] on the premises:

- Seek assistance from the SLT, if possible, or if you feel this would cause a delay [and if it were safe to do so] confiscate the drugs/alcohol and take the student to the Principal/Lead. They will implement the following steps.

## **9.2 Taking Temporary Possession of and Disposal of Suspected Illegal Drugs**

In taking temporary possession and disposing of suspected illegal drugs staff members are advised to:

- Notify the Police immediately
- Only if absolutely necessary should the student[s] be searched; if a search is essential then ensure that a second adult witness of the same sex as the student is present throughout any search
- Seal the sample in a plastic bag and include details of the date and time of the seizure/find and witness present
- Store it in a secure location with access limited to two members of staff
- Record full details of the incident, including the police incident reference number where necessary
- Inform parents/guardians/carers, unless this would jeopardise the safety of the student.

In the case of dealing, or suspected dealing, the police may be called as soon as possible and the action treated as gross misconduct.

## **9.3 Key Points to Remember**

- Avoid taking action individually
- Avoid labelling or criminalizing - there may be a good reason in the eyes of the user when they are using a particular drug; like many other situations each case should be dealt with on its own circumstance and, where possible, the student helped to minimise or preferably eradicate usage - the policy, however, should be made clear - no illegal drugs are allowed on Foundation premises
- Drug dealing is clearly a criminal offence and should be dealt with by the police
- Misuse of drugs or alcohol can result in impaired judgment, loss of concentration and mood changes which can reduce concentration and productivity and could result in accidents and threaten the safety of the working environment.
- Misuse of drugs or alcohol may be due to addiction/illness. Support can be offered by signposting users to their GP, college partner services and/or encouraging users to seek help from professional organisations such as 'Talk to Frank'.

It is also important to realise that:

- Most students are not interested in drug taking.
- Most students 'turn off' when they feel they are being preached to and moralised.
- Most students may already have had access to considerable input regarding drugs and alcohol misuse through their school's pastoral programme.

## **10.0 Service Standards**

- Staff need to be aware of the limits of their power and responsibilities in this area and follow the above instructions - if unsure, always consult with the Principal or Chief Executive.
- All students need to be made aware of the inherent danger involved.

The above may be through:

- Visiting speakers
- Links with external agencies
- Or a combination of all the above.

## APPENDIX A

The following are examples of illegal substances [although some may be legally possessed with a valid prescription]. Controlled drugs are drugs that are listed under the 'Misuse of Drugs Act 1971'. Drugs are classified into 3 categories [A, B and C] depending on how dangerous the drug was thought to be at the time of legislation, with Class A being the most serious.

Class A, includes:-

Opium, morphine, heroin, methadone, dextromoramide, cocaine, ecstasy, magic mushrooms and LSD. Class B drugs such as amphetamines [speed] if prepared for injection are also included.

Class B, includes:-

Codeine, amphetamine, methylamphetamine, barbiturates, dihydrocodeine and cannabis.

Class C, includes:-

Mainly prescribed drugs such as tranquillisers, Ketamine and gamma-hydroxybutyrate (GHB).

The system of classification of drugs, under the Act, is related to determining the penalties for their possession and supply.

The current maximum penalties are as follows:

Class A:

Possession = 7 years imprisonment and/or a fine

Supplying = life imprisonment and/or a fine

Class B:

Possession = 5 years imprisonment and/or a fine

Supplying = 14 imprisonment and/or a fine

Class C:

Possession = 2 years imprisonment and/or a fine

Supplying = 14 imprisonment and/or a fine

### Psychoactive substances

Drugs containing one or more chemical substances that produce similar effects to drugs like cocaine, cannabis and ecstasy – and formerly known as 'legal highs' Other examples of psychoactive substances include social drinking, nootropics, or sleep aids.

The so-called legal highs that were made illegal as class A, B or C drugs under the Misuse of Drugs Act, are still covered by that legislation. All other psychoactive substances not covered by the Misuse of Drugs Act fall under the Psychoactive Substances Act.