



Ulverston Victoria High School

POLICIES

Drugs and Drug-Related Incidents

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It is recognised that student behaviour will always be a dynamic aspect of school life and a behaviour policy must respond to changes in social pressures and behaviour on a national and local level. Therefore, the policy may need rapid addition or adjustment and review outside the normal schedule.

Drugs

This policy follows the advice from the Department for Education and the Association of Chief Police Officers, DfE and ACPO Drug Advice for Schools, Advice for local authorities, headteachers, school staff and governing bodies, September 2012.

Where the document refers to drugs, this includes alcohol, tobacco, illegal drugs, medicines, new psychoactive substances (“legal highs”) and volatile substances, unless otherwise specified.

Ulverston Victoria High School`s Policy and Aims

- To maintain the safety of students consistently whether on or around school premises and whenever the school is responsible for their welfare.
- To support all members of the school community by providing clear guidance.
- To bring clarity and consistency to the way staff approach the subject of drugs.
- To bring about confident, effective management of drugs on school premises.
- To give appropriate attention to all drugs : legal drugs, medicines, solvents and other socially disapproved of drugs and illegal drugs.

At UVHS, we recognise that some medicinal drugs can have beneficial effects, but we also regard every drug as representing potential for harm. For this reason, all drugs need appropriate and responsible care and management. In order to be able to make informed choices, staff and students need to understand the nature of the drugs they may come into contact with, their social and legal status and their uses and effects. These choices will include decisions about the use of medicines as well as non-medical drugs.

School Drug Coordinator

The Headteacher will deal with reports of drug-related incidents when they arise. The Governors Pastoral Committee will monitor all incidents with the link governor being the committee chair.

Dealing with a Drug-Related Incident

The Headteacher/Drug Coordinator will take responsibility to co-ordinate and follow up any drug-related incidents which are reported to them.

Any action will depend upon :

- The physical state of the individual
- The substance used and its legal status
- The nature of the incident

1. Flow chart : drug related incident.

Please see end of Policy.

2. Flow chart : intoxication from alcohol.

Please see end of Policy.

3. Description of what constitutes a drug-related incident?

a) Dealing with found substances

- Where a substance or an indication of substance use is found on school grounds
- Where there is no direct evidence of links to a young person/persons involved.
- This includes actual substances and/or evidence of substance use, i.e. empty aerosols, discarded needles, empty bottles, pipes etc

b) Possession of substances

Where a young person or group of young people are seen to be in possession of a small amount of substances or there has been a disclosure of possession.

Possession can be defined as :

- Found on the person/young people
- Found within their belongings

Searching with consent

Schools' common law powers to search:

School staff can search pupils **with their consent** for any item which is banned by the school rules.

Also note:

1) Schools are not required to have formal written consent from the pupil for this sort of search – it is enough for the teacher to ask the pupil to turn out their pockets or if the teacher can look in the pupil's bag or locker and for the pupil to agree.

2) Schools should make clear in their school behaviour policy and in communications to parents⁷ and pupils what items are banned.

3) If a member of staff suspects a pupil has a banned item in their possession, they can instruct the pupil to turn out their pockets or bag and if the pupil refuses, the teacher can apply an appropriate punishment as set out in the school's behaviour policy.

4) A pupil refusing to co-operate with such a search raises the same kind of issues as where a pupil refuses to stay in a detention or refuses to stop any other unacceptable behaviour when instructed by a member of staff – in such circumstances, schools can apply an appropriate disciplinary penalty.

Searching without consent

What the law says:

What can be searched for?

☒ Knives or weapons, alcohol, illegal drugs and stolen items (referred to in the legislation as ‘prohibited items’).⁸

⁸ Section 550ZA of the Education Act 1996. These provisions also include a power to make regulations to add to the list of prohibited items. On 16 January 2012, the Government laid regulations to add tobacco and cigarette papers, fireworks and pornographic images to the list of ‘prohibited items’. Subject to Parliamentary approval, the provisions in the Regulations will be reflected in this advice in due course. Furthermore, the Education Act 2011 includes provisions which extend these powers – this advice will be updated when these provisions come into force.

⁹ Member of school staff means any teacher who works at the school, and any other person who with the authority of the head teacher has lawful control or charge of pupils for whom education is being provided at the school.

Can I search?

☒ Yes, if you are a head teacher or a member of school staff⁹ and authorised by the head teacher. But:

a. you must be the same sex as the pupil being searched; and

b. there must be a witness (also a staff member) and, if at all possible, they should be the same gender as the pupil being searched. For example, it is possible for a female teacher to witness a search of a male pupil where there is only one male member of staff in a school or taking part in a school trip.

When can I search?

☒ If you have reasonable grounds for suspecting that a pupil is in possession of a prohibited item.

a. the law also says what must be done with prohibited items which are seized following a search.

Authorising members of staff

1) Head teachers should decide who to authorise to use these powers. There is no requirement to provide authorisation in writing.

2) Staff, other than security staff, can refuse to undertake a search. The law states that head teachers **may not require** anyone other than a member of the school security staff to undertake a search.

Training for school staff

1) There is no legal requirement for a head teacher or authorised member of staff to be trained before undertaking a ‘without consent’ search.

2) When designating a member of staff to undertake searches under these powers, the head teacher should consider whether the member of staff requires any additional training to enable them to carry out their responsibilities.

Establishing grounds for a search

1) Teachers can only undertake a search without consent if they have reasonable grounds for suspecting that a pupil may have in their possession a prohibited item. The teacher must decide in each particular case what constitutes reasonable grounds for suspicion. For example, they may have heard other pupils talking about the item or they might notice a pupil behaving in a way that causes them to be suspicious.

2) The powers allow school staff to search regardless of whether the pupil is found after the search to have that item. This includes circumstances where staff suspect a pupil of having items such as illegal drugs or stolen property which are later found not to be illegal or stolen.

3) School staff can view CCTV footage in order to make a decision as to whether to conduct a search for an item¹⁰.

¹⁰ School staff must ensure they act in accordance with the Data Protection Act 1998, when doing so. Guidance on this is provided by the Information Commissioner – see the Associated Resources section for a link to this document.

Location of a search

1) Searches without consent can only be carried out on the school premises or, if elsewhere, where the member of staff has lawful control or charge of the pupil, for example on school trips in England or in training settings.

2) The powers only apply in England.

3 Section 89 of the Education and Inspections Act 2006.

4 Section 3 of the Health and Safety at Work etc. Act 1974.

5 School staff here means a teacher or someone who has lawful control or charge of the child.

6 The ability to give consent may be influenced by the child's age or other factors.

7 References to parent or parents are to fathers as well as mothers, unless otherwise stated.

Confiscation of other unauthorised drugs

The school can confiscate unauthorised drugs such as alcohol, tobacco, vapes, solvents and medicines. They do not need to be handed to the police.

Parents and carers should, however, be informed and given the opportunity to collect any of these confiscated items.

Volatile substances such as lighter fuel, glue or aerosols should not normally be returned to a parent because of the level of danger they represent to students and the school should arrange for such substances to be disposed of safely. The technical staff in the Science faculty can advise on this.

Disposal of Controlled Drugs

Any drug should be retained in a secure place and the police Community Liaison Officer called for collection.

Syringes can be placed in the school sharps container in the main office.

In taking temporary possession and disposing of suspected controlled drugs schools are advised to:

- Ensure that a second adult witness is present throughout;
- 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, such a safe or other lockable container with access limited to senior members of staff;
- Notify the police without delay, who will collect it and then store or dispose of it in line with locally agreed protocols. The law does not require a school to divulge to the police the name of the pupil from whom the drugs were taken but it is advisable to do so;
- Record full details of the incident, including the police incident reference number;
- Inform parents/carers, unless this is not in the best interests of the pupil;
- Identify any safeguarding concerns and develop a support and disciplinary response.

Tobacco – Smoke Free Schools

The minimum age for smoking is 18 and schools are subject to the same smoke free legislation as other premises. The school is a smoke free site.

c) Possession with intent to supply/deal

- If a student is found in possession of drugs (see page 2) then consideration should be given to the possibility of the student supplying to others and the information should be recorded on the Drugs Related Incident Form.

d) disclosure of drug use by young person

This is defined as :

- when a student discloses their own involvement with drugs
- a student discloses or the school discovers a parent/carer/relative/friend using or selling drugs
- parent/carer/other person seeks advice from school about (possible) drug use by the student

Dealing with a disclosure of drug use

- All incidents of disclosure MUST be fully recorded in writing
- Always deal with issues sensitively when they arise as some students may live with parents who misuse drugs
- Drug misuse in the home does not always place the child at risk. It would not be appropriate to make judgements based on our own values about adults who use drugs
- If in doubt, liaise with named workers e.g. Inspira P.A.

4. Advice on the investigation of a drug related incident

The school should conduct a careful investigation to judge the nature and seriousness of an incident. The Drug Coordinator should inform, consult and involve others as necessary. Careful attention should be given to respecting the confidentiality of those involved. A range of factors may be relevant and need exploration to determine the seriousness and needs of those involved and an appropriate response, for example :

- if this is a first incident or if the student is a persistent offender
- if the student admits or denies the allegations
- the nature of the drug and whether it is legal or illegal
- where the incident appears on a scale from “possession of a small quantity” to “persistent supply”
- if the student appears to be seeking fun or is in personal turmoil
- if the student is knowledgeable and careful or reckless as to own or others` safety
- if the student is an habitual supplier, is the one “whose turn it was” to buy for others, or was being coerced into the supply role

Early intervention

The school may detect risk factors associated with possible drug use or misuse and evolve a level of concern about a student before serious problems arise. Communication between staff, careful observation and early involvement of parents or carers may serve to set the scene for early, supportive, pastoral intervention, or involvement of support agencies.

5. Enforcement of school rules

In-school strategies

The school should act decisively and consistently to enforce rules. Repeated possession, use or supply of drugs on school premises constitutes a serious breach of discipline.

Sanctions

It is for the school to decide whether sanctions are appropriate as part of the wider consideration of how the school intends to manage and respond to an incident or concern.

Sanctions should always be justifiable in terms of :

- the appropriateness of the response
- being in proportion with the breach of rules
- the needs of the student, other students, the school and the community
- consistency with published school rules, codes, expectations
- consistency with disciplinary action for breaches of other school rules (such as theft, bullying, violence)

Exclusion : Policy and Practice

Exclusion may be considered an appropriate response in the cases of serious breaches of this policy which might include repeated infringements of school rules in this context or may be a serious one-off breach of school rules, exclusion or even Permanent Exclusion.

Major breaches might include being under the influence of drugs (please see original definition on page 1, paragraph 3) whilst in school or under the auspices of UVHS. The selling and supplying of drugs in school or under the auspices of the school and also being in possession of drugs or drugs paraphernalia is also considered a serious breach. Please note also the school's general exclusion policy on incidents outside the school gates and protection of the school's reputation.

Incidents in the Community: In line with national guidelines the school retains the right to exclude or permanently exclude (PEX) if the behaviour of a pupil compromises the school's reputation, it's behavioural ethos and places the health and safety of students and staff at risk.

Examples of dangerous behaviour might be:

- The possession of drugs
- The possession of weapons
- Violence in the community
- Gross anti-social behaviour such as a bomb hoax
- Sexual misconduct
- Misuse of social media in a way that is harmful or potentially harmful to the well-being and/or safety of others
- Criminal activity such as burglary and theft

Some of these examples might also relate to incidents in school.

6. Dealing with Child Protection concerns

The school has a policy for Child Protection which lays down clear guidelines for confidentiality and respect for anonymity. It is important to recognise that whilst the safety of the student, and other students, is paramount, there may be occasions when disclosures are made and confidences are not automatically passed on to parents, carers or the police without the student's knowledge or permission.

When a young person discloses information to a member of staff, this will result in a confidential relationship between student and professional. Confidential information should only be disclosed when the student is "suffering or at risk of suffering, significant harm."

If a disclosure is made to a member of staff, he/she should NOT promise confidentiality but should explain that the matter will have to be reported to the Headteacher or the designated teacher for Looked After Children. The teacher should always explain what will happen next and why.

The member of staff should consider the following :

- Is the student at risk of physical, sexual or emotional abuse or neglect by another person as a result of involvement with drugs or alcohol?
- Could the student be deemed competent to consent to medical treatment for drug misuse without the involvement of parents?
- Does the student fully understand their actions and their consequences?
- Does the student understand the consequences of intervention or treatment?

7. Talking to students about their drug use : some do`s and don`ts

| | |
|-------|---|
| DO | <ul style="list-style-type: none"> • Ensure that the student is comfortable talking with you • Outline the rules of confidentiality • Be clear about what you are trying to achieve • Let the young person talk and listen carefully • Keep your focus on the young person rather than the drug • Consider the risks involved in a realistic way • Check the facts • Assess the situation carefully • Get support and advice from professional agencies if you need it |
| DON`T | <ul style="list-style-type: none"> • Panic or overreact • Moralise • Lose sight of your aims • Expect the young person to share your views • Rush into making a decision |

8. UVHS Drug-Related Incident Form

Type of incident

| | |
|---|--|
| 1. Found substance | |
| 2. Possession of substance | |
| 3. Possession with intent to supply | |
| 4. Other information/guidance requested | |

| | |
|------------------|----------------------------|
| Name of student | Incident form completed by |
| Tutor group | Time of incident |
| Date of incident | Place of incident |

| | | | |
|------------------|-----------------|------------------|-------|
| First Aid given? | Administered by | Ambulance called | Other |
| Yes / No | | Yes / No | |

| | |
|---|--|
| Type of drug e.g. paracetamol, cannabis, alcohol | Sample found ? Yes / No |
| Names of members of staff involved : | Was the sample retained? If so, where? |
| Has the parent/carer been informed? When and by whom? | Has the sample been disposed of? Where and how? |
| Brief description of the situation (continue overleaf if necessary) | Witnesses |
| Other agencies involved | Action taken |

**Staff Guidance
Procedures for dealing with drugs-related incident**

Found substance

Possession of substance

Possession with intend to deal/supply

Disclosure of drugs use by young person

Ensure the safety of yourself, young person involved, students and other staff is not compromised. Take necessary steps to ensure this.

Report to Headteacher/Drugs Coordinator to decide on any further action to be taken. Complete an incident form.

If Headteacher/Drugs Coordinator is unavailable, make a note of concerns and pass on information as soon as possible.

Confiscate/remove substance, or store substance, in the presence of a witness. Record your actions. If a young person, young people are involved, outline the confidentiality issues.

Option for involvement of others.

Police for advice and removal of confiscated items.

Parent/Carer

Inspira/EWO

School Child Protection Coordinator or designated teacher for Looked After Children

SchoolNurse/
SchoolCounsellor

Local Drugs Action Team

Record incident and begin Pastoral Support Plan

Review incident and PSP

**Staff Guidance:
Procedures for dealing with an alcohol-related incident**

Found alcohol

**Possession of alcohol
in school**

Under the influence of
alcohol in school

**Disclosure by
young person
relating to alcohol**

Ensure the safety of yourself, young person(s) involved, students and other staff is not compromised. Take necessary steps to ensure this.

If incident takes place in lessons, send for teacher 'on call'. Complete incident slip as soon as possible and forward to Pastoral Leader

If incident takes place out of lesson, remain with student and send for SLT member or Head of Year. Complete incident slip as soon as possible and pass on to Pastoral Leader

Confiscate any alcohol in presence of a witness. Pass on to Headteacher.

If student is under the influence of alcohol, put them in medical room and send for a First Aider. Remain with the student. Ask SLT member/Pastoral Leader to contact hospital (if necessary) and parent/carer

Option for involvement of others

School Child Protection Coordinator or designated teacher for Looked After Children

School Nurse/School Counsellor

Parent/Carer

Record incident

Inspira/EWO

Review incident