



## Drugs Policy

**This policy is applicable to:** Wolds Learning Partnership (WLP)

### Version 1

<b>Name of Responsible Committee/Individual:</b>	LGB & Board of Trustees
<b>Implementation Date:</b>	May 2017
<b>Review Date:</b>	May 2020
<b>Target Audience:</b>	All Staff, Parents, Students and Pupils
<b>Related Documents</b>	
<b>References</b>	



This policy has been drawn up in response to guidance released January 2014 through [www.gov.uk](http://www.gov.uk), which makes specific reference to the document *DfE and ACPO drug advice for schools* and uses guidance from the DfE links contained therein relating to searches with or without consent and confiscation of banned substances.

### **The role of schools in the Wolds Learning Partnership (WLP)**

Illegal drugs, (and drug related paraphernalia) and other unauthorised drugs are unacceptable within the boundaries identified with this policy. Staff, and pupils/students have a responsibility to adhere to the school's policy and procedures for managing medicines. The first concern in managing drugs is the health and safety of the school's community and meeting the pastoral needs of the pupils/students.

As part of the statutory duty on schools to promote and pupil/students' wellbeing, schools have a clear role to play in preventing drug misuse as part of their pastoral responsibilities. To support this, the Government's Drug Strategy 2010 ensures that school staff have the information advice and power to:

- Provide accurate information on drugs and alcohol through education and targeted information, including via the FRANK service.
- Tackle problem behaviour in schools, with wider powers of search and confiscation.
- Work with local voluntary organisations, health partners, the police and others to prevent drug or alcohol misuse.

### **Aims of the policy**

- Clarify the legal requirements and responsibilities of the Wolds Learning Partnership.
- Reinforce and safeguard the health and safety of pupil/students and others who use the schools in the WLP.
- Clarify the WLP's approach to drugs for all staff, pupils/students, governors, parents/carers, external agencies and the wider community, including pupils/students who are on Alternative Learning Programmes or on Vocational Placements.
- Give guidance on developing, implementing and monitoring the drug education programme
- Enable staff to manage drugs on the WLP premises, and any incidents that occur, with confidence and consistency, and in the best interests of those involved.
- Ensure that the response to incidents involving drugs complements the overall approach to drug education and the values and ethos of the WLP.
- Provide a basis for evaluating the effectiveness of each school drug education programme and the management of incidents involving illegal and other unauthorised drugs.
- Reinforce the role of the WLP in contributing to local and national strategies.
- This policy should be read in conjunction with related safeguarding and management of medicines policies.

Staff should treat drugs misuse as a Child Protection issue which will be dealt with in the best interests of the pupil/student and the wider school community.

### **Definitions of Drugs**

The definition of a drug adopted in the DfE document *Drugs: Guidance for schools* is:



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

This includes:

- All illegal drugs (those controlled by the Misuse of Drugs Act 1971).
- All legal drugs, including alcohol, tobacco.
- Volatile substances, and new psychoactive substances, ketamine, khat and alkyl nitrites
- All over-the-counter and prescription medicines.

This is the definition that we have adopted for our drug policy and this broad definition is reflected throughout the policy, in dealing with drug incidents and in the drug education curriculum.

### **Organisation of WLP Drug Education for individual schools**

The WLP recognises the need to work with parents/carers and pupils/students to provide effective drug education. Parents/carers are invited to share ideas for drug education, and the management of drug related procedures are made clear to parents/carers and pupils/students. In seeking close partnership with parents/carers we aim to complement and support their role as parents in educating our youngsters.

- Drugs education is a major component of drugs prevention.
- Drugs education is taught by a team of informed teachers within each school's planned, cyclic PSHE programme.
- Staff are encouraged to suggest areas for further training.
- External visitors enrich the school's drugs education programme. School specific presentations include a range from: Alcohol, Heroin, Cannabis, Drugs Forum, Police and Prison officer talks, Health Fair and Prison! Me! No Way! scheme. Drugs counsellors and the school nurse also support the programme.

Pupils/students are encouraged to develop confidence in talking, listening and thinking about drugs. Various teaching strategies are used to achieve this, including:

- Establishing ground-rules.
- Knowing how to deal with unexpected questions/comments by pupils/students using interactive methods encouraging reflection.
- A range of teaching and learning styles are used in delivering the drugs education programme. These are found in all of our schemes of work, which are reviewed regularly.
- The school will also ensure that pupils/students have access to up-to-date information on sources of help. Local and national help lines (including FRANK, NHS Smoking Helpline and Drinkline **(Appendix A)**), youth and community services and drug/health services will be prominently displayed so that those in need of help and who are reluctant to approach school staff can easily access it. Drug education programmes will also include details of services and helplines, explain how they work and develop pupil/student confidence in using them.



## Key Points for Staff

### 1. Confidentiality

**Staff cannot and should not promise total confidentiality.** The boundaries of confidentiality should be made clear to the pupil/student. If the pupil/student discloses information that is sensitive, not generally known and which the pupil/student asks not to be passed on, the request should be honoured unless this is unavoidable in order for teachers to fulfil their professional responsibilities in relation to:

- Child protection and Inclusion
- Co-operating with a police investigation
- Referral to external agencies

### 2. Ground Rules

Staff are encouraged to set ground rules with pupils/students at each stage of the drug education programme.

### 3. Difficult Questions

Specific guidance on dealing with difficult questions from pupils/students is covered during PSHE staff training sessions.

## Drug Related Incident Management

The over-riding principle for managing drug-related incidents is the welfare of the individuals concerned and that of the wider school community. We wish to encourage open dialogue with pupils/students, parents/carers and the wider community which will help to identify the potential scale of the problem. Pupils/students must trust the adults who deal with the information to use their discretion.

In every case of an incident involving drugs, the school will place the utmost priority on safety, meeting any medical emergencies with first aid and summoning appropriate help before addressing further issues. Possible agencies include:

- Local Authority Designated Officer.
- School nurse and Local GPs.
- East Riding Child Care Team.
- Police Community Service Officers and School Liaison Officers.
- Youth Services.
- Youth Offending (and Pre-offending) Team.
- Agencies providing specialist help.

## Expectations

Pupils/students must have a clear understanding of the consequences of their actions if they involve themselves with prohibited substances, namely:



- Prohibited substances and drugs such as alcohol, tobacco and solvents are not allowed in school, on the school grounds, on school trips and visits or on school transport. This also includes newly banned implements such as e-cigarettes and shish pens.
- The same rules apply to pupils/students who are on alternative learning packages or on vocational courses at other providers.
- Pupils/students are informed of this in a structured programme of PSHE, during PSHE work with tutors in tutor time and in individual interviews.
- If pupils/students are found to be in possession of these substances parents/carers will be informed and a period of isolation or fixed term exclusion may follow depending on the circumstances. Parents/carers will be invited into school for discussion with the appropriate Pupil/student services team and support offered to both parents/carers and pupils/students. Where parental involvement is suspected this information will be shared with the appropriate agencies.
- Dealing in banned substances is a criminal offence and the police will be informed and a pupil/student judged to be dealing in prohibited substances will be permanently excluded. Sharing of banned substances could be dealt with in the same manner as dealing in banned substances.

### **Reporting Drug Related Incidents and Concerns**

- The school will be vigilant and responsive to all information received and the appropriate Leader will keep a log of incidents and information.
- All staff should pass on any relevant information to the appropriate Leader. This information could take the form of:
  - Suspicion or rumour.
  - Observation.
  - A reported incident.
  - Personal disclosure by a pupil/student.
- Staff should treat drugs misuse as a Child Protection issue which will be dealt with in the best interests of the young person, the family and the school.
- Parents/carers will be informed of any concerns about a pupil/student, even where there is little or no substantive evidence, so that the partnership between home and school is based on openness and trust. The school will treat information given by parents/carers with discretion.
- The school will maintain a close liaison with local police over drug-related incidents.

### **Responding to a Drug Related Incident or Concern**

Drug incidents may include:

- Drugs or associated paraphernalia found on school premises.
- A pupil/student demonstrates, perhaps through actions or play, an inappropriate level of knowledge for their age.
- A pupil/student is found in possession of drugs or associated paraphernalia.
- A pupil/student is found to be supplying drugs on school premises (friends sharing drugs, pupil/student being coerced to supply drugs, a group of friends taking it in turn to bring drugs in for their own use).
- A pupil/student, parent/carer or staff member is thought to be under the influence of drugs.
- A staff member has information that the illegitimate sale or supply of drugs is taking place in the local area.
- A pupil/student discloses that they or a family member/friend are misusing drugs.



A careful investigation will take place to judge the nature and seriousness of each incident, the needs of those involved and the most appropriate response. For example:

- What does the pupil/student have to say?
- Is this a one-off incident or longer-term situation?
- Is the drug legal or illegal?
- What quantity of the drug was involved?
- What was the pupil/student's motivation?
- Is the pupil/student knowledgeable and careful or reckless as to their own and others' safety and how was the drug being used?
- What are the pupil/student's home circumstances?
- Does the pupil/student know and understand the school policy and school rules?
- Where does the incident appear on a scale from 'possession of a small quantity' to 'persistent supply for profit'?
- If supply of illegal drugs is suspected, how much was supplied, and was the pupil/student coerced into the supply role, were they 'the one whose turn it was' to buy for others, or is there evidence of organised or habitual supply?

If during the course of the investigation the school decides that the police should be involved they should cease immediately to enable the police to conduct a full detailed enquiry.

### **Prohibited Items**

The latest DFE outlines guidance identifies the key points and advice relating to searching and confiscation as follows:

- School staff can search a pupil/student for any item if the pupil/student agrees.
- Headteachers and staff authorised by them **have a statutory power to search pupils/students or their possessions, without consent**, where they have reasonable grounds for suspecting that the pupil/student may have a prohibited item.

Prohibited items are:

- Knives or weapons.
- Alcohol.
- Illegal drugs.
- Stolen items.
- Tobacco and cigarette papers.
- 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 pupil/student).
- Headteachers and authorised staff can also search for any item banned by the school rules which has been identified in the rules as a banned.
- Details of searches must be recorded by the school.
- Parents must be informed by the school of searches whether the results are negative or positive.



For the purposes of this policy unsuccessful attempts to seek consent will in most cases lead to contact with parents and or police. However the school acknowledges that it has rights to search with or without consent as outlined in the DFE guidance on *Screening, searching and confiscation: Searching without consent (17<sup>th</sup> July 2013)*:

## **Searching and Confiscation**

### **Searching with Consent**

Schools' common law powers to search

School staff can search pupils/students with their consent for any item. Also note:

- Schools are not required to have formal written consent from the pupil/student for this sort of search – it is enough for the teacher to ask the pupil/student to turn out his or her pockets or if the teacher can look in the pupil/student's bag or locker and for the pupil/student to agree.
- Schools should make clear in their school behaviour policy and in communications to parents and pupils/ students what items are banned.
- If a member of staff suspects a pupil/student has a banned item in his/her possession, they can instruct the pupil/student to turn out his or her pockets or bag and if the pupil/student refuses, the teacher can apply an appropriate punishment as set out in the school's behaviour policy.
- A pupil/student refusing to co-operate with such a search raises the same kind of issues as where a pupil/student 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.

School staff here means a teacher or someone who has lawful control or charge of the child. The ability to give consent must be considered.

### **Searching Without Consent - When can a search be done?**

Authorised staff can search if there are reasonable grounds for suspecting that a pupil/student is in possession of a prohibited item.

#### **What the law says:**

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.

#### **What can be searched for:**

- Knives or weapons, alcohol, illegal drugs and stolen items; and
- Tobacco and cigarette papers, fireworks and pornographic images; and
- Any article that the member of staff reasonably suspects has been, or is likely to be, used to commit an offence, or to cause personal injury to, or damage to property; and
- Any item banned by the school rules which has been identified in the rules as an item which may be searched for.



### **Who can search?**

A headteacher or a member of school staff authorised by the headteacher may search outer clothing, desks, lockers, possessions such as a bag. Staff may not conduct an intimate search, this must be actioned by police.

### **Under what circumstances?**

You must be the same sex as the pupil/student being searched; and there must be a witness (also a staff member) and, if at all possible, they should be the same sex as the pupil/student being searched. There is a limited exception to this rule.

You can carry out a search of a pupil/student of the opposite sex to you and without a witness present, but only where you reasonably believe that there is a risk that serious harm will be caused to a person if you do not conduct the search immediately and where it is not reasonably practicable to summon another member of staff.

Where it is practicable to summon a staff member of the same sex as the pupil/student and a witness then the authorised staff member wishing to conduct a search must do so.

### **Extent of the search – clothes, possessions, desks and lockers.**

#### **What the law says:**

- The person conducting the search may not require the pupil/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; gloves and scarves.
- ‘Possessions’ means any goods over which the pupil/student has or appears to have control – this includes desks, lockers and bags.
- A pupil/student’s possessions can only be searched in the presence of the pupil/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.

#### **Searches of lockers and desks**

- Under common law powers, schools are able to search lockers and desks for any item provided the pupil/student agrees. Schools can also make it a condition of having a locker or desk that the pupil/student consents to have these searched for any item whether or not the pupil/student is present.
- If a pupil/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” listed above.



## **The power to seize and confiscate items**

### **What the law allows:**

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 pupil/student's property as a disciplinary penalty, where reasonable to do so.

Where the authorised person 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 new psychoactive substances or 'legal highs'. If school staff are unable to identify the legal status of a drug, it should be treated as a controlled drug.

If a teacher confiscates items believed to be illegal drugs or new psychoactive substances, the pupil/student should be isolated and the substance should be handed to a member of the Senior Leadership Team who will oversee an investigation into the incident, informing the Headteacher

### **Controlled drugs**

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 as 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/student 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/student.
- Identify any safeguarding concerns and develop a support and disciplinary response.

Legal drugs (for example, cigarettes, alcohol) can be confiscated and disposed of at the school's discretion

### **School Response**

Any response will balance the needs of the individual with those of the wider school community, and aim to provide pupils/students with the opportunity to learn from their mistakes and develop as individuals. Possible responses include:

- Early intervention and targeted prevention
- Referral to substance misuse specialist
- Counselling
- Behaviour and Pastoral Support plans to minimise risk of permanent exclusion
- Inter-agency programmes with Youth Services, Youth Offending
- Fixed-period exclusion, Managed Move, Referral to PRU, Permanent Exclusion



Some responses may serve to enforce and reinforce school rules. Any sanctions will always be justifiable in terms of:

- The seriousness of the incident.
- The identified need of the pupil/student and the wider school community.
- Consistency with published school rules, codes and expectations.
- Consistency with disciplinary action for breaches of other school rules (such as theft, violence, bullying).

### **Parents / Carers under the influence of Drugs on the School Premises**

When dealing with parents/carers under the influence of drugs on school premises, staff should attempt to maintain a calm atmosphere. On occasion, a teacher may have concerns about discharging a pupil/student into the care of a parent/carer. In such instances, discuss with the parent/carer if alternative arrangements could be made, for example, asking another parent/carer to accompany the child home. The focus for staff will always be the maintenance of the child's welfare, as opposed to the moderation of parent's/carer's behaviour.

Where the behaviour of a parent/carer under the influence of drugs repeatedly places a child at risk or the parents/carer becomes abusive or violent, staff should consider whether to invoke child protection procedure and/or the involvement of police.

### **Monitoring and Evaluation**

The delivery of drugs education is monitored and evaluated regularly. We use staff and pupil/student questionnaires along with discussion between staff involved to evaluate information given and concepts covered. Incident data is also reviewed so that intervention can be appropriate and targeted if pattern develop.

### **Dissemination of the Policy**

The policy is available to all staff on the school website. Parents/Carers and the wider community can also request a copy of the full drugs policy from the schools reception.

### **Appendix A - Useful Organisations**

**Addaction** is one of the UK's largest specialist drug and alcohol treatment charities. As well as adult services, they provide services specifically tailored to the needs of young people and their parents. The Skills for Life project supports young people with drug misusing parents. Website: [www.addaction.org.uk](http://www.addaction.org.uk)

**ADFAM** offers information to families of drug and alcohol users, and the website has a database of local family support services. Tel: 020 7553 7640 Email: [admin@adfam.org.uk](mailto:admin@adfam.org.uk) Website: [www.adfam.org.uk](http://www.adfam.org.uk)

**Alcohol Concern** works to reduce the incidence and costs of alcohol-related harm and to increase the range and quality of services available to people with alcohol-related problems Tel: 020 7264 0510. Email: [contact@alcoholconcern.org.uk](mailto:contact@alcoholconcern.org.uk) Website: [www.alcoholconcern.org.uk](http://www.alcoholconcern.org.uk)

**ASH (Action on Smoking and Health)** A campaigning public health charity aiming to reduce the health problems caused by tobacco. Tel: 020 7739 5902 Email: [enquiries@ash.org.uk](mailto:enquiries@ash.org.uk) Website: [www.ash.org.uk](http://www.ash.org.uk)



**Children’s Legal Centre** operates a free and confidential legal advice and information service covering all aspects of law and policy affecting children and young people. Tel: 01206 877910 Email: [clc@essex.ac.uk](mailto:clc@essex.ac.uk) Website: [www.childrenslegalcentre.com](http://www.childrenslegalcentre.com)

**Children’s Rights Alliance for England** - A charity working to improve the lives and status of all children in England through the fullest implementation of the UN Convention on the Rights of the Child. Email: [info@crae.org.uk](mailto:info@crae.org.uk) Website: [www.crae.org.uk](http://www.crae.org.uk)

**Drinkaware** - An independent charity that promotes responsible drinking through innovative ways to challenge the national drinking culture, helping reduce alcohol misuse and minimise alcohol related harm. Tel: 020 7307 7450 Website: [www.drinkaware.co.uk/](http://www.drinkaware.co.uk/)

**Drinkline** - A free and confidential helpline for anyone who is concerned about their own or someone else’s drinking. Tel: 0800 917 8282 (lines are open 24 hours a day)

**Drug Education Forum** – this website contains a number of useful papers and briefing sheets for use by practitioners: Website: [www.drugeducationforum.com/](http://www.drugeducationforum.com/)

**DrugScope** is a centre of expertise on illegal drugs, aiming to inform policy development and reduce drug related risk. The website includes detailed drug information and access to the Information and Library Service. DrugScope also hosts the Drug Education Practitioners Forum. Tel: 020 7520 7550 Email: [info@drugscope.org.uk](mailto:info@drugscope.org.uk) Website: [www.drugscope.org.uk](http://www.drugscope.org.uk)

**FRANK** is the national drugs awareness campaign aiming to raise awareness amongst young people of the risks of illegal drugs, and to provide information and advice. It also provides support to parents/carers, helping to give them the skills and confidence to communicate with their children about drugs. 24 Hour Helpline: 0800 776600 Email: [frank@talktofrank.com](mailto:frank@talktofrank.com) Website: [www.talktofrank.com](http://www.talktofrank.com)

**Mentor UK** is a non-government organisation with a focus on protecting the health and wellbeing of children and young people to reduce the damage that drugs can do to their lives. Tel: 020 7739 8494. Email [admin@mentoruk.org](mailto:admin@mentoruk.org) Website: [www.mentoruk.org.uk](http://www.mentoruk.org.uk)

**National Children’s Bureau** promotes the interests and well-being of all children and young people across every aspect of their lives. Tel: 020 7843 6000 Website: [www.ncb.org.uk](http://www.ncb.org.uk)

**Family Lives** - A charity offering support and information to anyone parenting a child or teenager. It runs a free-phone helpline and courses for parents, and develops innovative projects. Tel: 0800 800 2222 Website: <http://familylives.org.uk/>

**Re-Solv (Society for the Prevention of Solvent and Volatile Substance Abuse)** A national charity providing information for teachers, other professionals, parents and young people. Tel: 01785 817885 Information line: 01785 810762 Email: [information@re-solv.org](mailto:information@re-solv.org) Website: [www.re-solv.org](http://www.re-solv.org)

**Smokefree** - NHS Smoking Helpline: 0800 169 0 169 Website: <http://smokefree.nhs.uk>

**Stars National Initiative** offers support for anyone working with children, young people and families affected by parental drug and alcohol misuse. Website: [www.starsnationalinitiative.org.uk](http://www.starsnationalinitiative.org.uk)

**Youth Offending Teams** – Local Youth Offending Teams are multi-agency teams and are the responsibility of the local authority, who have a statutory duty to [prevent offending by young people under the age of 18. Website: <https://www.gov.uk/youth-offending-team> 15