

SUBSTANCE USE AND MISUSE

Introduction

1. The school believes that the misuse of drugs by members of the school, and/or the supply of these substances is wrong.
2. The school is committed to the health and safety of its members and will take action to safeguard their well-being.
3. The school acknowledges the importance of its pastoral role in the welfare of young people and through the general ethos of the school will seek to persuade pupils in need of support to come forward.
4. The school will inform the parents of any pupil known to be (or suspected of) using or distributing drugs, either in or out of school.
5. The school affirms that any pupil found to be in possession of drugs or selling or distributing drugs or in any way influencing other pupils in the harmful use of drugs is liable to expulsion.
6. This policy applies to every member of the school community: teaching staff, support staff, and pupils.

The Role of the Headmaster, Substance Co-ordinator and Governors

7. The Headmaster takes overall responsibility for the policy and its implementation, for liaison with the Governing Body, parents and appropriate outside agencies and for the appointment within the school of a Substance Co-ordinator to whom is delegated general responsibility for the implementation of this policy. The School recognises the five national outcomes of the DfE Every Child Matters 2003, the requirements of the Children Act 2004 and guidance generated by the DfE Integrated Children's System 2007 which places as fundamental that children are taught to choose not to take illegal and harmful drugs. At Queen Elizabeth's, the substance co-ordinator is the Deputy Head (Pastoral). The Headmaster will ensure that all staff required to deal with substance abuse are adequately supported and trained. (*DH reports that we could produce no evidence for this*).

Definition of drugs within the scope of this policy

8. Drugs are substances which alter the mind or body, or both. This policy is concerned with legal substances such as solvents and tranquillisers and illegal drugs under the terms of the Misuse of Drugs Act (1971). Alcohol and tobacco are dealt with separately.

Drug Education

9. In response to shared concerns at a local and national level, the school

states its belief that, as part of its care for the welfare of its pupils, the school has a duty to inform and educate young people on the consequences of drug use and misuse. The school takes a pro-active stance on this matter, believing that health education (consult Health Education Policy) is a vital part of the personal and social education of every pupil. The school seeks to share with parents the responsibility for the education of young people about drugs.

The school supports the following educational aims in respect of the use and misuse of substances.

- a. to ensure that members of staff are appropriately trained to instruct and counsel pupils about the use and misuse of substances
 - b. to enable pupils to make healthy, informed choices by increasing knowledge, challenging attitudes and developing and practising skills.
 - c. to provide accurate information about substances.
 - d. to increase understanding about the implications and possible consequences of use and misuse of substances.
 - e. to widen understanding about related health and social issues, e.g. sex and sexuality, crime, HIV and AIDS.
 - f. to seek to minimise the risks that users and potential users face.
 - g. to enable young people to identify sources of appropriate personal support both inside and outside school.
10. These aims are fulfilled through aspects of the pupils' experiences in the taught curriculum, the informal curriculum and through opportunities for extra-curricular activities. The school delivers the taught curriculum mainly through Complementary Studies, Science and English; but other opportunities to reinforce learning occur in other parts of the teaching programme.

Links with Outside Agencies and the Media

11. The school actively co-operates with other agencies such as Community Police, Social Services, Health and Drug Agencies to deliver its commitment to Drugs Education and to deal with incidents of substance use and misuse.
12. The Headmaster will take responsibility for liaison with the media. As the issue of substance misuse is an emotive one and likely to generate interest from the local media, the school will take appropriate advice and guidance in an effort to ensure that any reporting of incidents remains in the best interests of the young people, their families and the school.

Disciplinary and Counselling Response

13. The school will consider each substance incident individually and recognises that a variety of responses will be necessary. The school will consider very carefully the implications of any action it may be take. It seeks to balance the interests of the pupil involved with those of the rest of the school community. Expulsion is amongst the sanctions which may be applied.
14. In instances involving substance misuse or supply on the premises and following discussion between staff members who know the pupil well, parents will be informed at the earliest opportunity by the Deputy Head (Pastoral) and/or the Headmaster.
15. If the young person admits to using or supplying substances off the premises, the discretion of the teacher receiving such information will be involved; but informing the Deputy Head (Pastoral) is appropriate action. The Deputy Head will inform the Headmaster; parents will be informed.
16. The school will seek to direct young people involved with drugs to seek counselling from the school nurse and appropriate local agencies.

Annexes:

- 1 Managing a drug related incident
- 2 Guidance for staff delegated to investigate

Substance use and misuse: Managing a drug-related incident

Emergency Situations

1. Where the person is unconscious, an ambulance and the School Nurse should be called. Any obvious evidence of substance abuse should be gathered (see *Guidance*) and any clear information should be given to the emergency services. The Headmaster or Deputy Head (Pastoral) must be informed as soon as is practicable: he will commence the detailed investigation.

Intoxication

2. The person will be taken to the School Nurse or the nurse called to assist. She must be told of any suspicion of drug misuse. The nurse will take appropriate medical action and will inform the Deputy Head (Pastoral) or the Headmaster who will commence detailed investigations.

Disclosure

3. If a pupil discloses to a member of staff that he/she is involved with drug misuse or has information regarding other pupils and drugs, the member of staff must not promise absolute confidentiality. The Deputy Head (Pastoral) should be informed with the pupil's knowledge. The Deputy Head will then follow the procedures described in *Guidelines*.

On suspicion

4. On suspicion, searches of a pupil's desk or locker may be made. Pupils may also be asked to hand over substances voluntarily, for example by turning out their pockets or bag.
5. Physical searches of pupils by staff are not allowed by law: a pupil refusing to turn out his/her pockets should be escorted to the Deputy Head (Pastoral) or the Headmaster who will summon the police.

On discovery

6. When a pupil discloses substance misuse on or off the premises, staff will inform the Deputy Head (Pastoral) and, where appropriate, may participate in the planning of subsequent action.
7. When staff discover substances which are suspected of being harmful, illegal or deserving of investigation, they should note the two circumstances in which substances may be removed from either a **place** or a **person** ~

- a. **place**

If possible, remove the substance from where it was discovered in the presence of a witness. If this is not possible, do not leave the substance *in situ* whilst enlisting the support of a colleague or pupil as a witness. Continue with the Procedure for Making Safe set out below.

- b. **person**

When receiving or retrieving substances from a pupil, do so if possible in the presence of a witness. In the absence of a witness, do not put off receiving substances or, within the bounds of professional discretion, removing a suspicious substance from a pupil's possession.

Procedure for Making Safe

8. Members of staff must observe the following procedures at all times.
 - a. Remove the substance (from place or person) and record the time, place and circumstance in which the substance came into your possession.
 - b. Do not investigate the nature of the substance but record its approximate size and appearance: tasting, testing or analysis by staff is forbidden as to do so is an offence under *The Misuse of Drugs Act (1971)*.
 - c. When possible, have the recordings counter-signed by a witness.
 - d. Take the substance immediately to the Deputy Head (Pastoral) who will take it to the Headmaster. Staff must not keep the substance about their person or in a place of safe keeping: to do so places staff at risk under *The Misuse of Drugs Act (1971)*.

- e. In the presence of the Deputy Head or Headmaster, place the substance in a suitable sealed container. The Deputy Head and/or Headmaster, member of staff and witness should sign and date the package. An official report should be completed, recording the time, date and circumstance of the find and should be lodged with the Deputy Head within 24 hours of the event.
- f. The Headmaster can choose to arrange for the police or an approved agency to remove the substance from the premises or else to dispose of it in an appropriate way.
- g. In the event of a discovery of any equipment associated with substance misuse, especially needles and syringes, pupils must not be permitted to handle such items. All equipment must be handled by adults with the utmost care. The Headmaster will ensure that materials are placed in a secure and rigid container to await collection by the appropriate agency.

An Incident on a School Trip

- 9. The prime concern must always be the well-being of the pupil(s). Medical attention must be summoned whenever there is a suspicion that a pupil has misused drugs.
- 10. The supervising staff should make contact with the Headmaster, Deputy Head (Pastoral & Personnel) or designated school contact as soon as possible.
- 11. When it is not appropriate for a senior member of staff to attend to take charge of the matter, close liaison with senior staff must be maintained throughout the incident. The procedures detailed in *Guidance for staff delegated to investigate* (pp. 5-6 seq.) should be followed.

Substance use and misuse: Guidance notes for staff delegated to investigate

1. Procedures for Investigation

On receipt of information from the member of staff and after considering the *prima facie* evidence, the Deputy Head (Pastoral) may plan an investigation.

Any investigation must proceed according to the principles of **natural justice**:
i.e.

- the pupil must not be pre-judged.
- the investigative procedures must be fair, unbiased and impartial.
- measures must be taken to ensure proper care for the well-being of all pupils involved.
- all investigations which appear necessary must be carried out.
- the pupil(s) and parents must be given a proper opportunity to be heard.
- in the case of expulsion, the pupil and parents must be informed by the Headmaster (or Deputy Head in his absence) of the consequences of expulsion and given details of the appeals mechanism.

2. Fact-finding

- a. Responsibility for fact-finding will normally be delegated by the Headmaster to the Deputy Head (Pastoral) and one other member of staff acting as a team of two.
- b. Before commencing investigation, the Headmaster and/or Deputy Head will make careful plans
 - to establish the parameters of the case
 - to establish a timetable
 - to anticipate possible consequences for the suspect(s) and the school community
- c. The Headmaster will inform the Chairman of Governors (or, in his absence, the Vice-Chairman of Governors).
- d. The Headmaster and/or Deputy Head will inform parents at the earliest opportunity.
- e. A suspect should be offered the opportunity to have an adult (e.g. Housemaster or Form Tutor) present during interviews..

3. Pupil suspects

- a. Explain that answers to questions will be noted down and considered carefully.
- b. Explain what has been alleged and, unless there is good reason for confidentiality, by whom.
- c. Read over notes taken; ask if they are a correct record: then initial notes, date and time.
- d. Tell pupil suspect of next stages.
- e. If pupil suspect wishes to make an oral statement, this must be done in the presence of an adult (i.e. an additional adult, e.g. Form Tutor).
- f. If parents have not been present earlier and if the suspect has admitted a serious breach likely to lead to expulsion, s/he must be segregated and parents/guardians asked by Headmaster to attend without delay.

4. Witnesses

- a. Secure witnesses' agreement to treat the interview in confidence as far as is possible.
- b. Encourage witnesses to give a written account; otherwise detailed notes must be taken.
- c. Read over notes taken: then initial notes, date and time.
- d. Beware of hearsay.

5. Review

- a. Assess the facts of the case, considering the need to re-interview witnesses or to take further written statements.
- b. Consider whom to notify: Chairman of Governors, parents, police, other agencies.
- c. Consider the pupil suspect's file and previous record.

6. Meeting with parents and pupil suspect

- a. Consider staff to be present: normally the Headmaster and Deputy Head (Pastoral).
- b. Explain: what is alleged, the evidence and the consequences

being considered; what the pupils suspect has said or written and what investigating staff believe to be true.

- c. Invite the pupil suspect to write out a statement giving his/her side of the story and offer parents and pupils suspect time alone together to talk things over (unless pupil suspect appears frightened of parents).
- d. After time for reflection to consider options, tell parents and pupil suspect of decision or that the decision will be made by a specified time: consideration may be given to suspension pending the announcement of a final decision.
- e. If the decision is to expel, then the parents should be told of their rights of appeal.

7. Notification

The fact of an expulsion may be given to the Governors but no details of breaches or evidence should be given pending a possible appeal.

8. Sanctions

- a. Any offence involving substance abuse renders a pupil liable to expulsion but sanctions may range from a serious warning, through suspension, through special disciplinary regime to removal or expulsion.
- b. The principle is that anyone who has possessed or used drugs contrary to the school rules forfeits the right to be in the school. This remains the starting point: any movement from that position is mitigation and control remains in the hands of the school.
- c. Expulsion means formal dismissal from the school, recorded as such, confirmed in writing in the pupil's file.
- d. The decision to expel is a breach of contract unless it is
 - made in good faith
 - in accordance with the principles of natural justice
 - for an offence which is sufficiently serious
 - on the basis of guilt that is reasonable well established.
- e. Other options available instead of expulsion include
 - withdrawal ~ voluntary withdrawal of the pupil by the parents
 - removal ~ requirement falling short of expulsion that the parents remove the pupil from the school.

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