



**North Warwickshire
& Hinckley College**

Part of North Warwickshire and South Leicestershire College

Drugs & Alcohol Misuse Guidelines 2017

North Warwickshire & South Leicestershire College

Group Director Student Experience

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Drugs & Alcohol Misuse Guidelines 2017

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Drugs & Alcohol Misuse Guidelines 2017

1. Introduction

- 1.1 The College believes that the misuse of drugs and alcohol is detrimental to the health and well-being of individuals and adversely affects the safe and efficient working of the College, its students and staff.
- 1.2 The possession on campus of drugs or any substance with intention to misuse and/or supply is strictly forbidden. Possession of paraphernalia associated with drugs abuse is also forbidden.
- 1.3 These guidelines aim to facilitate the early identification and help with regard to drug and alcohol problems and to encourage students to seek advice and assistance. The College will provide advice and support on drug and alcohol related issues.
- 1.4 The College will put in place appropriate preventative strategies and take disciplinary action where rules have been breached, and will report incidents to the police where appropriate.
- 1.5 All staff and students have responsibility for taking action if they observe and/or are told about drug and alcohol misuse/intoxication.
- 1.6 Every individual member of staff has a responsibility to help ensure the safety and welfare of learners, referring concerns in writing to the designated safeguarding team where appropriate to ensure that help and support is provided at the earliest possible opportunity.

2. Definitions

- 2.1 For the purposes of these guidelines, the term 'Drugs' refers to:-
 - All illegal drugs (those controlled by the Misuse of Drugs Act 1971 (as amended); and
 - All psychoactive substances (incorrectly called "legal highs") as described in the Psychoactive Substances Act 2016; and
 - All legal drugs, including alcohol, volatile substances which can be inhaled and alkyl nitrites ("poppers"); and
 - All over the counter medicines and prescribed medicines used or offered for supply in a manner other than as prescribed.
- 2.2 "Being in possession of drugs" refers to carrying or holding drugs and will include carrying, holding or storing drugs for someone else
- 2.3 "Supplying drugs on College premises" refers to the passing of drugs to others, even where no money has changed hands.
- 2.4 A "Drug related incident" includes, but is not limited to:-
 - A student is found using, being in the possession of, or supplying drugs;
 - A staff member has information that drug related activity may be taking place on college premises;
 - A student is suspected of being under the influence of drugs;
 - The police inform the College of a drug related incident involving student(s).
- 2.5 "Drug paraphernalia" may include but is not limited to pipes, tin foil, needles, syringes, bongs, small mirrors, spoons, short plastic straws, stills, tubes of glue, bottles or aerosol cans with hardened glue, sprays or paints or chemical odours.

3. Related Policies, Procedures and Documents

- 3.1 The Rehabilitation of Offenders Act 1974
- 3.2 The Children's Act 1989 and 2004
- 3.3 The Police Act 1997
- 3.4 The Human Rights Act 1998
- 3.5 The Data Protection Act 1998
- 3.6 The Protection of Children Act 1999
- 3.7 NWSLC Safeguarding and Protecting Children and Vulnerable Adults Policy
- 3.8 Student Bullying and Harassment Policy
- 3.9 Health and Safety Policy
- 3.10 Student Disciplinary Policy and Procedure
- 3.11 Staff Disciplinary Policy
- 3.12 Public Interest Disclosure Policy
- 3.13 DBS and Safer Recruitment Policy
- 3.14 Keeping Children Safe in Education: Statutory Guidance for Schools and Colleges: DfE (Sept 2016)
- 3.15 Searching, screening and confiscation: DfE (February 2014)
- 3.16 Leicester, Leicestershire & Rutland Drugs Guidance for Educational Settings: (April 2017)
- 3.17 Staff Code of Conduct

4. Scope

- 4.1 These guidelines will apply to all College students whether on College premises, College transport, work experience, residential trips or other College related activities.
- 4.2 These guidelines support College staff in dealing with a drug related incident in an appropriate manner.
- 4.3 These guidelines do not relate to drug misuse by College staff. This is addressed within separate College Policies.

5. Core Principles

- 5.1 The College's first priority in managing drugs is the health and safety of the College community and meeting the pastoral and welfare needs of its students.
- 5.2 The use of drugs on College premises, transport, work experience, residential trips or other College activities, or at any time during the College day is strictly forbidden. Any student found to be in possession of, using or showing the effects of drugs will be suspended with immediate effect and required to leave the College premises (where safe to do so), pending investigation under the Student Disciplinary Policy. Any action taken in relation to unauthorised possession of drugs does not exclude other separate action in respect of unacceptable behaviour or conduct, even if this occurs at the same time.

- 5.3 Any student found supplying drugs will be suspended with immediate effect and required to leave the College premises, pending investigation under the Student Disciplinary Policy. The College's Designated Lead (or appointed Deputy) will inform the Police and fully co-operate with any criminal investigation or proceedings.
- 5.4 Any student under the age of 18 found in possession of alcoholic drink on the College premises can expect the alcohol to be confiscated and destroyed and the Student Disciplinary Procedure to be invoked. Any student over the age of 18 found to be consuming alcohol outside the licensed areas or a College authorised event can also expect the alcohol to be confiscated and destroyed and the Student Disciplinary Procedure to be invoked. Any action taken in relation to unauthorised possession or consumption of alcohol does not exclude other separate action in respect of unacceptable behaviour or conduct, even if this occurs at the same time.
- 5.5 If a student is suspected of being under the influence of drugs on College premises, the College must prioritise the safety of the student and those around them. If necessary it should be dealt with as a medical emergency, administering first aid and summoning appropriate support. Dependent upon the circumstances the student's parent/carer and/or the Police may need to be contacted. If the student is considered to be at risk of harm or detriment, then the Safeguarding and Protecting Children and Vulnerable Adults Policy will come into effect and the Designated Safeguarding Lead must be contacted.
- 5.6 If a student is found, seen or suspected of being in possession of drugs, the student should be detained (if safe to do so) and the Safeguarding Team should be contacted. The Safeguarding Team will then carry out a search. Searches should only be carried out by a Designated Safeguarding Lead, or an appointed deputy under the guidance of a Designated Safeguarding Lead. Where students are on a trip, it may be necessary for the trip leader to carry out the search. This should only be done after contacting and under the guidance of a Designated Safeguarding Lead. In circumstances where the student refuses to be detained, allow them to leave the College premises. If the student refuses to be detained then the College may exercise its discretion to contact the Police. The Designated Safeguarding Lead must inform the student's parent(s)/carer(s) unless to do so would place the student at significant risk of harm.
- 5.7 If satisfied that the quantities of the suspected drugs are of a quantity which would appear to be for personal use then they should be seized, retained and the student should be suspended in accordance with the Student Disciplinary Procedure. The Police do not need to be involved for possession of drugs for personal use. The Designated Safeguarding Lead must inform the student's parent(s)/carer(s) unless to do so would place the student at significant risk of harm.
- 5.8 If the quantities of the suspected drugs are of a quantity which would suggest intent to supply, or the student is found or seen to be supplying or attempting to supply drugs on College premises they must be suspended in accordance with the Student Disciplinary Procedure and the Police informed. The Designated Safeguarding Lead must inform the student's parent(s)/carer(s) unless to do so would place the student at significant risk of harm.

- 5.9 It is appreciated that staff will not be able to positively identify some drugs, particularly when in powder or liquid form. If there is any doubt as to the nature or legal status of the substance, or whether quantity may or may not infer intent to supply, the Police should be called.
- 5.10 If an incident of being in possession or being under the influence of drugs (other than alcohol) occurs whilst being on a College trip or excursion, the student's parent(s)/carer(s) will be contacted and asked to collect the student immediately at their own cost, or if possible appropriate arrangements made by the College to return the student home. The priority will be the safety of the young person and those around them. If necessary it should be dealt with as a medical emergency, administering first aid and summoning appropriate support. If it is not possible for the parent(s)/carer(s) to collect the student, or the student to be returned home, the incident should be dealt with on return to College. The Student Disciplinary Procedure will then be invoked.
- 5.11 If an incident of being in possession or being under the influence of alcohol occurs whilst on a College trip or excursion, the College shall reserve the right to contact the student's parent(s)/carer(s) and ask them to collect the student, or make arrangements for the student to return home. The priority will be the safety of the young person and those around them. If necessary it should be dealt with as a medical emergency, administering first aid and summoning appropriate support. The Student Disciplinary Procedure will then be invoked.

6. Searching and Confiscation

- 6.1 The College Designated Safeguarding Lead and appointed deputies are authorised to initiate a search of students, with their consent, for any item. Formal written consent is not required.
- 6.2 At least one of the members of staff conducting the search will be the same sex as the student being searched. Where possible, both members of staff will be of the same sex as the student being searched.
- 6.3 Where a search needs to take place on a trip, this should be carried out by the trip leader, under the guidance of the Designated Safeguarding Lead, once the Designated Safeguarding Lead has authorised the procedure.
- 6.4 An authorised search will include asking identified students to turn out his or her pockets, empty bags and open their lockers to enable them to be searched. Any authorised search of a student must be undertaken with a second staff witness present and recorded in the drug search register.
- 6.5 Refusal by a student to comply with this request will result in the Student Disciplinary Policy being invoked.
- 6.6 The College does not permit searches to be undertaken without student consent.

- 6.7 Under common law, Colleges are able to search lockers, desks and similar storage facilities for any item provided the student agrees. If a student does not consent to a search then it is possible to conduct a search without consent but only where the member of staff has a reasonable belief that the student is in possession of a drugs. Any search must be authorised by the Designated Safeguarding Lead and witnessed by a second staff member.
- 6.8 The College staff member carrying out the authorised search is able to confiscate any drugs found as a result of a “with consent” student search, or the search of lockers, desks and storage etc. with or without consent.

7. Procedure for seized drugs

- 7.1 In taking temporary possession of suspected drugs, whether seized or found, a second staff witness should be present throughout.
- 7.2 The Designated Safeguarding Lead will be advised of all seized substances.
- 7.3 All confiscated substances will be recorded in the search register, stored in an identified safe place in separate clear bags (or cardboard boxes for sharp items, e.g. needles) and disposed of in conjunction with local Police advice.
- 7.4 Staff are advised that it is not acceptable for them to remain in possession of any such substances for any period of time as to do so would constitute an offence under the Misuse of Drugs Act 1971.
- 7.5 The Designated Safeguarding Lead should advise the student’s parent(s)/carer(s) where they are under the age of 18, unless this is not in the best interests of the students to do so.

8. Discovery and Disposal of Drug Paraphernalia

- 8.1 Any member of staff discovering or being advised of drug paraphernalia upon College premises must report this to the Safeguarding Team at the earliest opportunity.
- 8.2 The Designated Safeguarding Lead will make arrangements for the disposal in a safe and appropriate manner.

9. Early Intervention and Referral

- 9.1 The College recognises that it has a key role in identifying students at risk of drug misuse and the need to distinguish between students who require general information and education, and those who could benefit from targeted prevention and support.

- 9.2 Drugs use can be a symptom of other problems and the College will strive to provide high quality support and advice on any drug related safeguarding issue, and as appropriate put in place necessary safeguarding measures.
- 9.3 If a student informs a member of staff of personal substance misuse dependency, or of a friend's or relative's problem they should be referred to the Safeguarding Team at the earliest opportunity.
- 9.4 The Safeguarding Team will instruct the Student Experience Team to liaise with appropriate third party organisations to provide support for identified students.

10. Implementation, Monitoring and Review

- 10.1 The effectiveness of these guidelines will be ensured through;
- i. Annual review of the Safeguarding Policy by the Corporation.
 - ii. Informing the Corporation annually as to how staff have complied with the guidelines; this will include termly/annual reports.
- 10.4 These guidelines will be reviewed annually, or as otherwise directed by the Principal, or legislative changes and should be read in conjunction with safeguarding process and procedures and The Staff Code of Conduct. Staff from all areas of the College will be consulted as part of this process.