



# Substance Misuse Policy

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## 1 Purpose

The purpose of this policy is to:

- Clarify the legal requirements and responsibilities of the school.
- Reinforce and safeguard the health and safety of students and others who use the school.
- Clarify the school's approach to substances for all staff, students, governors, parents/carers, external agencies and the wider community.
- Give guidance on developing, implementing and monitoring the substance misuse education programme.
- Enable staff to manage substances on school 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 substances complements the overall approach to substance misuse education and the values and ethos of the school.
- Provide a basis for evaluating the effectiveness of the school substance misuse education programme and the management of incidents involving illegal and other unauthorised substances.
- As part of the statutory duty on schools to promote students' wellbeing and safeguard students, schools have a clear role to play in preventing substance misuse and supporting vulnerable students as part of schools pastoral responsibilities.

The policy applies to the school buildings and grounds and is equally applicable to all people including students, staff, governors, adults, visitors and contractors using the site at any time. It also covers activities with students for which the school is responsible and any form of transport used specifically for school purposes.

## 2 Statutory Duties and Responsibilities for Schools

Schools need to ensure that the statutory requirements of Keeping Children Safe in Education regulation is complied with by doing the following:

- All staff are aware of the early help process and understand their role in it. This includes identifying emerging problems, liaising with the designated safeguarding lead, sharing information with other professionals to support early identification and assessment.
- All staff members receive appropriate safeguarding and child protection training which is regularly updated. In addition all staff members receive safeguarding and child protection updates when required, to provide them with relevant skills and knowledge to safeguard children effectively.
- Governors need to ensure that students are taught about safeguarding, including online, through teaching and learning opportunities as part of providing a broad and balanced curriculum. This may include covering relevant issues through PSHE.

Schools also have duties in relation to promoting student wellbeing and student safeguarding defined in the Children Act 2004 as 'the promotion of physical and mental health; emotional wellbeing; social and economic wellbeing; education, training and recreation; recognition of the contribution made by children to society; and protection from harm and neglect. (Children Act 2004) and community cohesion (Education Act 2006).

The Education and Inspections Act 2006 empowers Headteachers, to such extent as is reasonable, to regulate the behaviour of students when they are off the school site and empowers members of staff to impose disciplinary penalties for inappropriate behaviour. This is pertinent to incidents of substance misuse covered by this policy, which may take place out of school, but is linked to membership of the school. The school should deal with such incidents within the procedures set out in the substance misuse policy and associated behaviour policies and will, where known, inform parents/carers of incidents of inappropriate behaviour that takes place out of school.

### 3 Definition and Terminology

Because people have different perceptions and understanding when they hear the word “substances” it is necessary to be clear about what the school means by substances. Clarification can reduce the risk of misunderstanding and concern about dealing with a sensitive issue, especially with younger children.

A suggested definition of substances is:

- All illegal drugs -those controlled by the Misuse of Drugs Act 1971 which now includes novel psychoactive substances (previously known as legal highs) (See appendix 4 for further information)
- All legal drugs including alcohol, tobacco / e-cigarettes, volatile substances, alkyl nitrites (poppers)
- All over the counter and prescription medicines (misuse of).

It is recognised that there is no such thing as a safe substance and any substance use has associated risks and benefits. For simplicity this guidance refers to:

- ‘Substance use’ as the use of any drug legal or otherwise
- ‘Substance misuse’ as drug use which leads or has led to a student experiencing social, psychological, physical or legal problems related to intoxication or regular excessive consumption and/or dependence upon their drug(s) of choice
- ‘Problematic substance misuse’ is where the individual has little control over their behaviour, they are frequently and regularly under the influence of a substance and they present as a problem for themselves or the environment in which they exist.

The guidance refers to substance misuse incidents as situations or specific events involving a suspected or proven drug in unauthorised possession or use by anyone covered by this policy, which includes adults as well as students, in any situation for which the school is ultimately responsible.

### 4 The Schools Stance on Substances

The school does not permit the misuse of substances nor the use or presence of unauthorised substances on site or associated with any activity anywhere for which the school is responsible.

Substance misuse incidents will be dealt with fairly with the wellbeing, health and safety of the whole school community being paramount as well as acknowledging the pastoral needs of individual students.

Alcohol may be served at specific events by prior arrangement and only if authorised by the Headteacher.

### 5 Roles and Responsibilities

#### 5.1 Governors

Governors are responsible for the approval of the substance misuse policy, ensuring it is disseminated to the wider school community and for reviewing the effectiveness of the policy. This includes ensuring the statutory requirements of Keeping Children Safe in Education regulation and other safeguarding responsibilities are being met.

The governing body, in co-operation with the Headteacher is expected to involve students, health and other professionals to ensure the substance misuse curriculum is being taught and addresses the needs of students, local issues and trends. The governing body will continue their involvement through regular evaluation of provision and policy.

#### 5.2 Headteacher

The Headteacher has responsibility for the day-to-day management of all aspects of the school’s work, including teaching and learning. The Headteacher’s responsibilities in respect of substances are to:

- Supporting the Governors comply with the substance misuse aspects of the Keeping Children Safe in Education regulation.
- Provide a safe place of work for all staff and students and as such takes responsibility for this policy, its implementation, and for liaison with the governing body, parents, LA and appropriate outside agencies.

- Keep the governing body fully informed of provision, issues and progress around substance issues.
- Liaise with the PSHE subject lead to ensure the effective delivery of the substance misuse education within the curriculum is being monitored.
- Act upon any concerns which may arise from students' substance misuse behaviours.

### 5.3 Senior Leadership Team

The member of the senior leadership team who manages any substance misuse incidents which happen on or off the school site is **Mrs H Mukherjee**. Mrs Mukherjee is the Designated Safeguarding Lead and has accessed relevant training to support her in the role.

All substance misuse incidents are logged, monitored and consideration given to any updates in whole school provision, curriculum planning and staff training.

### 5.4 Whole Staff Team

Substance misuse is a whole school issue. All staff, both teaching and non-teaching, should be aware of the policy and how it relates to them should they be called upon to deal with a substance misuse related incident. This includes lunchtime supervisors, caretakers and cleaning staff. All new staff are aware of this policy as part of their induction. A clear training plan is in place for staff relating to safeguarding duties.

### 5.5 PSHE Subject Lead

The PSHE subject lead is **Miss N Khan**, who is responsible for all aspects of the subject including education on substances.

- Ensure the implementation and quality of a whole school long term and medium term scheme of work for PSHE that incorporates education on substances.
- Ensure that all staff are confident in the skills to teach and discuss issues related to substances.
- Consider the needs of all students, and to achieve this, recognise that the school might need to address some specific issues.
- Consult with students to inform provision around education on substances, including using the schools Growing up in North Yorkshire survey results.
- Access appropriate regular training.
- Regularly monitor the curriculum organisation, planning and resources across the school.
- Ensure procedures are in place for assessment, monitoring and evaluation of the education on substances.
- Liaise with any service provision to effectively support aspects of the education on substances.

### 5.6 Students

- Students are not allowed to use substances at school or whilst engaged in any off-site activity representing the school for example any educational visits, trips abroad and work experience.
- Students should not use substances whilst travelling to or from school and when in school uniform.
- Students should be asked to contribute to the review of the substance misuse policy through feedback about the education provided and if it is meeting their needs.
- If a substance misuse incident does happen on school premises that the students involved are allowed an opportunity to feedback on how the incident was managed.

### 5.7 Parents and Carers

Evidence shows parents are one of the single biggest influence on young people's substance behaviours, but parents state they lack knowledge and confidence about substances. Parents also appear unsure about where their

responsibilities as educators stop and the school’s responsibilities begin. Many parents can be unaware that schools undertake to educate their children about substances. Parents need to be informed about and encouraged to support the school’s education on substances and have access to this policy and the schools PSHE curriculum on the school website.

The school plays its part in ensuring that parents have up-to-date information regarding substances such as signposting to support through the school website. Parents have the right to be informed of any incident that could result in potential harm to their child. This can be a very sensitive issue for parents, and therefore, it will be handled with care and consideration. The Headteacher will consider if there are any special circumstances, which may temper this right.

The following websites provide supporting information for parents / carers to enable them to access information about a range of substances but also information about how to talk to their children about these important issues. This information could be available on the school website for parents/ carers to access alongside information about support service in North Yorkshire for young people to help with substance misuse issues.

<p>Talk to Frank <a href="http://www.talktofrank.com">www.talktofrank.com</a></p>	<p>Information on a range of substances both legal and illegal. Information on how to talk to your child about these issues.</p>
<p>Drinkaware <a href="http://www.drinkaware.co.uk">www.drinkaware.co.uk</a></p>	<p>Raising awareness and providing information about alcohol, health issues, legislation and drinking. Has a specific section aimed at parents / carers about how to talk to your child about alcohol – including a short film</p>
<p>North Yorkshire Healthy Child Team <a href="http://www.northyorks.gov.uk/article/30679/prevention-service">www.northyorks.gov.uk/article/30679/prevention-service</a></p>	<p>The healthy child service links health, education and social care to improve the health of all children aged five to 19. It plays an important role by working with school and families to address the health needs of children and young people.</p>
<p>Compass Reach (North Yorkshire) <a href="http://www.compass-uk.org/compassreach/">www.compass-uk.org/compassreach/</a></p>	<p>Compass REACH is a specialist service that works with children and young people aged 9 – 19 (and up to 25 for those with special educational needs or disabilities) who have been screened as having moderate or high levels of need with regard to substance misuse/alcohol.</p>

### 5.8 Site Team and Cleaning Staff

The caretaker regularly checks the school premises – any substances or paraphernalia found will be recorded and reported to the designated member of the SLT and dealt with in accordance with this policy.

### 5.9 External Agencies

Whilst the responsibility for organising and delivering most, if not all, of the education on substances rests with the school, there may be times when an external contributor can add value and bring to the classroom additional experience, skills or knowledge that teachers may not always have. However they may not possess the skills of organising teaching and learning or managing classroom behaviour.

## 6 PSHE Curriculum

PSHE education is a non-statutory subject on the school curriculum. However, section 2.5 of the national curriculum states that all state schools ‘should make provision for personal, social, health and economic education (PSHE), drawing on good practice’. The Department for Education allows schools to design their own PSHE curriculum, to reflect the needs of students.

In addition to the national curriculum framework, the [Department for Education guidance](#) on PSHE states that the subject is ‘an important and necessary part of all students’ education’ and that ‘schools should seek to use PSHE education to build, where appropriate, on the statutory content already outlined in the national curriculum, the basic school curriculum and in statutory guidance on: drug education, financial education, sex and relationship education (SRE) and the importance of physical activity and diet for a healthy lifestyle.’

Maintained schools are required to publish details of the curriculum by year group for all subjects, including PSHE education on their school website. This should be with the same level of detail as for all other subjects.

Academies, free schools and independent schools are not bound by the national curriculum, however all schools share the statutory duties outlined in the sections below.

## 6.1 Statutory Duties

The [Education Act 2002](#) and the [Academies Act 2010](#) sets out the following duties and whole school Ofsted inspections consider the extent to which a school provides such a curriculum:

- which is balanced and broadly based;
- promotes the spiritual, moral, social, cultural, mental and physical development of students at the school and of society;
- prepares students at the school for the opportunities, responsibilities and experiences of later life.

PSHE education and safeguarding are inextricably linked. Paragraph 68 of the statutory guidance on [Keeping Children Safe in Education](#), (September 2016) the Department for Education states, *“Governing bodies and proprietors should ensure children are taught about safeguarding, including online, through teaching and learning opportunities, as part of providing a broad and balanced curriculum. This may include covering relevant issues through personal, social, health and economic education (PSHE).* Specific issues referred to in the document include among many substance misuse.

## 6.2 Definition and aims of education on substances

“Drug and alcohol education should provide opportunities for students to develop their knowledge, skills, attitudes and understanding about substances and appreciate the benefits of a healthy lifestyle, relating to their own and others’ actions” (Drugs: Guidance for Schools DCFS 2004).

As with all other risks, it is impossible to eliminate those risks completely. It is therefore essential, through good educational provision, to build students’ resilience to the risks to which they may be exposed so that they have the confidence and skills to face and deal with these risks.

Research has shown that effective education on substances can have an impact on the most common substances used by young people: alcohol, tobacco and cannabis and can delay the onset of substance use therefore the later a young person may try a substance the less likely they will become a problematic substance misuser.

## 6.3 Delivering effective alcohol and drug education

- Alcohol and drug education needs to start from where children are and appeal to their integrity. Gleaning starting points from the students themselves ensures relevance. Try to convey trust that the students will develop the competence they need.
- Alcohol and drug education needs to start early and be revisited continually as experience, understanding and needs change. At Key Stage 1, the focus is more on skills and staying safe than drugs. Skills need to be practised, situations talked about, options considered. To examine and re-examine issues as children move through their school career extends their comprehension as their confidence grows, their experience expands and their horizons broaden. By Key Stage 4, the emphasis is on taking full responsibility for themselves, for their health, and the safety of themselves (and sometimes those around them,) as they approach adulthood.
- Alcohol and drug education needs to take an unobtrusive place in more general PSHE: Do not treat alcohol and drug education as an isolated ‘subject’. The skills and self-knowledge it encourages are widely applicable. ‘Set’ your alcohol and drug education sensitively in the context of references to current, wider life experiences with which your students can identify.
- The skills needed to teach about alcohol and drugs are the same skills required for addressing any element of PSHE: Alcohol and drug education does not require unique skills. If you can facilitate discussion, listen carefully, remain impartial when you need to, use approaches which are non-threatening and which actively involve your students, and if you know your students’ needs, you can deliver alcohol and drug education.

- Teachers who know their students well are ideally placed to provide sensitive alcohol and drug education: Judge carefully when your students are ready for ideas or information, whether, for example, questions are genuine or merely provocative, and temper your input accordingly. This is always much harder for visitors who don't know the students as you do.
- Teachers don't need to be drugs experts to teach about the subject: Knowing the children and using relevant teaching styles is the vital expertise needed to teach alcohol and drug education. When reliable information becomes relevant, seek it.
- A focus upon exploring attitudes and values, and developing and practising skills is likely to be more beneficial than information-giving alone: Be ready to challenge young minds' early ideas in ways which do not demean or otherwise discourage openness. Students may wrongly assume their peers concur with their views, so take this opportunity to strengthen positive social norms. Encourage your class to express their many opinions in a safe and secure environment where confidentiality is well understood, and so test such assumptions and ensure each student receives 'input' from many sources, not just you. Don't forget that 'drug facts' form only a small part of alcohol and drug education.
- Approaches which are interactive and facilitative are more effective in gaining cooperation and making lasting changes: If your students are kept active and are not mere recipients, their learning is likely to be deeper, more personal, and longer-lasting.

#### **6.4 Assessing, monitoring, evaluating and reviewing education on substances**

This should be done in accordance with the School's policy for Assessment, Monitoring, Evaluating and Reviewing of Curriculum Subjects:

- Be planned from the beginning as an integral part of teaching and learning;
- Provide regular opportunities for students to give and receive feedback on their progress and achievements, helping them to identify what they should do next;
- Involve students in discussion about learning objectives and desired outcomes;
- Include students as partners in the assessment process e.g. through self-assessment and peer-assessment;
- Enable students to identify and gather evidence of their progress in developing knowledge, skills, understanding and attitudes;
- Reflect the principles of inclusion and the range of students learning styles enabling all students to demonstrate their achievement;
- Review and plan the content and delivery of the programme of study for education on substances;
- Review resources and renew as appropriate;
- To update training in line with current guidance and staff identified needs.

## **7 Smoke Free Policy**

Smoking will NOT be permitted in any part of the School's premises, including kitchens, within the entrance area to the School or on land adjacent to the school buildings (car park, garden areas, sports pitches, walkways etc) where this forms part of the School's premises. Smoking is prohibited in school vehicles or any vehicles hired by the school.

This policy applies to employees, parents, visitors, members of the public, contractors and others working or using the School's premises or vehicles. This policy will be clearly advertised and visitors to the School will be informed of it.

It is the policy of the School that all employees and students have a right to work in a smoke-free environment. The whole of the School premises, including all outside areas are smoke-free. The policy came into effect on 1 July 2007. This policy applies to all employees, consultants, contractors, customers, students, and visitors and hirers of all School facilities.



Exposure to second-hand smoke, also known as passive smoking, increases the risk of lung cancer, heart disease and other illnesses. Ventilation or separating smokers and non-smokers within the same airspace does not completely stop potentially dangerous exposure.

This smoke free policy has been developed to protect all employees, students and visitors and users of the School's premises from exposure to second-hand smoke and to assist compliance with the Health Act 2006 and Regulations made under the Act. The Trust is committed to obtaining and retaining National Healthy School Status.

Overall responsibility for policy implementation and review rests with Assistant Head – student support. All staff are obliged to adhere to and implement the policy. This means that all staff have a responsibility to point out to any fellow employees and visitors, that it is unlawful to smoke in or on any part of the School grounds and that the person(s) should extinguish their cigarette/cigar etc immediately.

The Assistant Head – student support shall be responsible for ensuring that all existing employees, students, consultants, contractors, licences and hirers are informed of the policy and their role in the compliance, implementation and monitoring of the policy.

In accordance with the Regulations appropriate 'No smoking' signs will be clearly displayed at the entrances to and within the premises.

## **8 Substance Related Incidents**

### **8.1 Types of Incidents**

- Substances or associated paraphernalia are found on school premises
- A student is found in possession of substances or associated paraphernalia
- A student is found to be a recognized source of supply of substances on school premises
- A student is thought to be under the influence of substances on school premises
- Allegations or suspicions of use off school premises
- Rumour of substance use or misuse in school
- A student discloses that they are misusing substances or a family member/friend is misusing substances.
- A parent/carer is thought to be under the influence of a substance on the school premises.

### **8.2 Actions in the event of finding a drug or suspected illegal substance**

1. Take possession of the substance ideally with an adult witness present and inform the designated senior member of staff with responsibility for the substance misuse issues within the school. Staff are permitted to take temporary possession of what may be an illegal drug for the purpose of preventing an offence being committed or continued in relation to that drug.
2. In the presence of an adult witness the article should be packed securely and labelled with the date, time, quantity (e.g. two cannabis joints, packet of powder equivalent to the size of fifty pence piece) and place of discovery.
3. The package should be signed by the person who discovered it and the witness and stored in a secure place, such as a safe or other lockable container with access limited to senior members of staff.
4. If the substance was not discovered on a person or in their possessions assess the area where the substance was found to establish if any students have passed through the area and may have picked up/ taken the substance. Speak to relevant staff, perhaps make students aware and parents if necessary. Watch for any unusual behaviour in the students.
5. Arrangements should be made to hand the package over to police unless there is a 'good reason' for not doing so. The governments guidance for schools on drugs, January 2012 states that in determining what is a 'good reason' for not delivering controlled drugs to the police, the member of staff should take into account all relevant circumstances and use their professional judgement to determine whether they can safely dispose of a seized item. Staff should not attempt to analyse or taste any found substance. If the police are informed they 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 student(s) from whom the drugs were taken but it is advisable to do so.

6. Record full details of the incident, including the police incident reference number.
7. Inform parents/carers, unless this is not in the best interests of the student(s).
8. Identify any safeguarding concerns and develop a support and behaviour response. A school's response to a substance incident should be consistent with the ethos of the school and a range of supporting policies, in particular the Behaviour policy and Health and Safety policy. Responses to any substance related incident should be proportionate, balancing the needs of the individual with those of the wider school community. The aim should be to provide students with opportunities to learn from their mistakes, develop as individuals and reengage with the learning process to fulfil their potential.
9. Consider making a referral to Compass Reach. Compass Reach will see young people aged 9-19 with a substance misuse issue.

### **8.3 Actions in the event of discovering a hypodermic needle**

In the event of discovering a hypodermic needle the incident should be recorded in the Health and Safety Book and the following procedure should be followed in order to protect all persons:

1. If possible do not attempt to pick up the needle but if deemed necessary an adult should do it with care, with gloves on and place the needle in a container that cannot be pierced e.g. a biscuit tin.
2. Or cover the needle with a bucket or other container
3. Cordon off the area to make it safe
4. Inform the designated senior member of staff with responsibility for all drug issues within the school and/or caretaker
5. Contact the necessary service who will take the needle away.

### **8.4 Actions in the event of finding or suspecting a student is in possession of a substance**

The law permits school staff to take temporary possession of a substance suspected of being an illegal drug for the purpose of protecting a student from harm and to prevent an offence committed in relation to that drug.

1. Request that the student hand over the article(s) preferably in front of another adult witness.
2. Having taken possession of the substance/paraphernalia, the procedure should be followed as above (finding a substance).

### **8.5 Searching and Confiscation**

- Headteachers and staff authorised by them have a statutory power to search students or their possessions, without consent, where they have reasonable grounds for suspecting that the student may have a prohibited item. Headteachers can decide not to use these powers. Prohibited items include drugs and alcohol. Authorised members of staff have the power to search where a student refuses a reasonable request to, for example, turn out their pockets, but this does not impose any duty upon members of staff to carry out a search.
- A person can only carry out a search if it is the Headteacher of the school or they have been authorised by the Headteacher to carry out the search. Staff can refuse to carry out searches.
- School staff are not legally required to undergo any training prior to being authorised by the Headteacher to search students.
- Teachers have to have reasonable suspicion that the student has a prohibited item and the search should take place on school property, or where the member of staff has lawful charge of the student, for example on school trips or in training settings in England (the powers only apply in England)

- The person searching must be the same gender as the student and it must be carried out in the presence of another member of staff. Where reasonably practicable they should also be the same gender as the student
- The student may not be asked to remove any clothing other than outer clothing (clothing not touching skin or underwear)
- Possessions means any goods over which the student has or appears to have control – this includes desks, lockers and bags. Student’s possessions can only be searched in the presence of the student and another member of staff
- The school does not require the consent of a parent/carer to carry out a search nor do they need to inform parents when a search has been carried out. There is no legal requirement to make or keep a record of a search. Though it would be good practice to do so
- The power allows school staff to search for substances they reasonably believe are illegal but which may, after testing, be found to be legal
- If alcohol is found it can be retained or disposed of. Disposing of alcohol does not include returning it to the student.
- If drugs are found they must be handed to the police unless there is ‘good reason not to’. In this instance they must be disposed of if it is safe to do so and will not put anyone at risk. If it is unclear if they are legal or illegal they should be treated as illegal. In determining what is a ‘good reason’ for not delivering controlled drugs to the police, the member of staff should take into account all relevant circumstances and use their professional judgement to determine whether they can safely dispose of a seized item.

#### **8.6 Procedures for managing a student suspected to be under the influence of a substance.**

- Stay calm, place student in a quiet area.
- Do not leave them unsupervised, seek medical advice, if the child is drowsy or unconscious place in recovery position, loosen tight clothing and attempt to establish what child has taken.
- Any suspected substances should travel with the student if removed for treatment.
- Vomit should be safely collected where possible and also taken with the student (for analysis). Contact the student’s parents/carer.

#### **8.7 Procedures for managing a parent/carer suspected to under the influence of a substance**

The use of substances by parents does not in itself necessarily mean that they are uncaring or incompetent parents or that their children are at risk of abuse or neglect.

Whether teachers or other education staff should intervene in a situation where parents are suspected or known to be using substances, including alcohol, in ways that might be harmful to their children will depend on a child being judged to be suffering significant harm. The focus of attention is the individual child or young person and it is their welfare that is paramount to any action that is taken.

If a member of staff has concerns about a parent or carer’s substance misuse they should immediately inform the senior member of staff within their establishment that has responsibility for safeguarding. This designated individual will then follow the schools child protection / safeguarding policy.

However, there may be occasions where an immediate, urgent call needs to be made to the police (999) because it is judged that a child or another person (including yourself) may be imminently at risk of serious danger. Examples include;

- where an intoxicated parent is behaving violently or is threatening violence such that the belief is that the threats may be carried out thus compromising the immediate safety or care of a child, or;
- place others in danger by driving a car whilst unfit through drink or drugs

## 8.8 Suspected drug use off the school premises

Under the DfE guidance on behaviour and discipline schools should consider their response to incidents that happen outside the school gate where they:

- could have repercussions for the orderly running of the school
- poses a threat to another student or member of the public
- could adversely affect the reputation of the school.

In all of these circumstances the headteacher should also consider whether it is appropriate to notify the police in their local area of the actions taken against a student. If the behaviour is criminal or poses a serious threat to a member of the public, the police should always be informed. In addition, school staff should consider whether the misbehaviour may be linked to the child suffering, or being likely to suffer, significant harm. In this case the school staff should follow its safeguarding policy.

## 8.9 When to contact the police

There is no obligation on schools to inform the police about substance-related incidents or to disclose the name of a student involved in a substance related incident on their premises if there is a 'good reason not to'. In determining what is a 'good reason' for not contacting the police, the member of staff should take into account all relevant circumstances and use their professional judgement. If a student is found in possession of and/or believed to be supplying suspected illegal drugs on the school premises it is good practice to inform the police as a school cannot knowingly allow its premises to be used for 'administering or using a controlled drug, which is unlawfully in a person's possession'.

The police have a duty to uphold and enforce the law. However, for school staff and other partners as well as the police, there are further priorities for those dealing with drug-related offences and matters related to alcohol, tobacco and volatile substances on school premises. These priorities include:

- the welfare of the student or students involved
- the safety of staff and other students
- the seriousness of the offence
- Identification of substances.

Students found in possession of illegal substances on school premises might not be arrested, but should be assessed, and referred to Compass Reach, as appropriate, and dealt with through the school own disciplinary procedures. The school should keep a record of any decisions made.

If police attend an incident at a school an appropriate adult should always be present during interviews, e.g. parent/carer, teacher, social worker etc. Every effort must be made by the school to contact parents/carers before their child is interviewed and to invite them to attend immediately unless a professional judgement has been made that to do so may jeopardise the welfare of the student.

If formal action is to be taken against a student police will normally arrange for the student to attend a local police station with their parents/carers. Only in exceptional circumstances would an arrest be made on school premises. When it has been agreed to record an incident as a crime following discussions with the designated member of staff at the school who manages drug incidents a detailed record is made by both the school and the officer of the actions taken.

The use of drugs "sniffer" dogs in schools is currently not recommended - a view shared by the police. It is not advised that schools request visits by passive search dogs for educational purposes as it could put both students and staff at risk, but if this option is chosen careful consideration should be given to individual and cultural sensitivities in the context of diversity and inclusion.

If your school is concerned about people dealing illegal substances upon or near your school premises also contact the police.

Local Trading Standard officers can be contacted if your school is concerned about the illegal selling of tobacco/ e-cigarettes and/or alcohol and /or solvents. Consumer advice in North Yorkshire is provided by the Citizens Advice

consumer service. Consumers can contact the service on 03454 04 05 06 or by emailing: [trading.standards@northyorks.gov.uk](mailto:trading.standards@northyorks.gov.uk)

## **8.10 Limits of Confidentiality**

It is the responsibility of the school to support its students and to carry out its functions with a view to safeguarding and promoting the welfare of students. In fulfilling this duty they must have regard to guidance around safeguarding. Whilst students have the same rights to confidentiality as adults no student should be guaranteed absolute confidentiality. Staff will report any information or disclosure which raises concern that a child or children may be at risk of significant harm to the school's senior member of staff, with designated responsibility for Safeguarding. The Designated person will then, in line with the School's Safeguarding policy and procedures, take action as appropriate. Students should be informed about the remit of confidentiality and that teachers cannot offer or guarantee students unconditional confidentiality.

If rumours of substance misuse are disclosed the Headteacher should be informed – the Headteacher should assess the information and decide whether further action is to be taken.

## **8.11 Investigating and supporting a substance-related incident**

Investigations should seek to elicit as much information about a substance-related incident as possible in order to best support and re-engage the student with the learning process. Using open ended rather than closed questions will produce better answers. The type of information sought may include;

- What substance the student believes it to be and why?
- If the student has tried the substance and if so, when and how frequently and recently?
- If the student has used any other substances, particularly at the same time as the one immediately causing concern - include consideration of alcohol or volatile substances?
- If the student is on any form of medication or has known particular medical conditions that may be relevant to the circumstances?
- Where the student obtained the substance from and in what circumstances, e.g. paid for it, received it free or a "free for now, pay later" basis?
- If the student was instrumental in becoming involved in the incident or were they a vulnerable victim?
- What the student's motive was for becoming involved?
- How much understanding the student has of the possible effects and risks of what has happened and of what future consequences could be?
- The quantity of substance?
- If the substance(s) were intended for personal use or for sharing or dealing with others?
- If there is an indication of dealing drugs, if the student was a ready supplier or was coerced into the situation?
- If supplying drugs is suspected is it a one-off incident or part of a series; opportunistic or planned?
- If the student understands the legal implications arising from the incident?
- The student's past exposure to relevant planned and programmed drug education as opposed to informal drug education via peers and general community living?
- Any particular home or family circumstances which may have precipitated involvement in the incident?
- This conversation, together with any other information available from witnesses or others involved will help to build up a picture of the incident and begin to indicate if this was a reckless or naïve act or one that was premeditated with an understanding of possible outcomes. All students involved in a substance related incident should at an appropriate time and place have an informal conversation sensitively conducted about the incident and be provided with further information about substances and their misuse and have access to further support either within the school or by outside agencies.

- If a student attends a local Accident and Emergency Department (A&E) with a drink or drugs related concern, the healthy child team will receive information from A&E. They are then able to follow up the students and offer additional support and guidance, including to parents if required. School health work under the Fraser guidelines for confidentiality when operating a drop-in session, and can therefore reassure students that they can be treated in confidence unless their disclosures reveal a real and significant risk to their health.

### **8.12 Responses to a substance related incident**

Responses to any substance related incident should be proportionate, balancing the needs of the individual with those of the wider school community. The aim should be to provide students with opportunities to learn from their mistakes, develop as individuals and re-engage with the learning process to fulfil their potential. This applies equally to students to be found in possession of, or supplying controlled substances. Schools should have a range of responses that can be utilised once full consideration of the facts has been made. Examples of responses include;

- Provision of targeted advice and information about specific substances and their impact on individuals and communities together with developing an understanding of the degree of risk being influenced by a substance (product), the particular physical and psychological characteristics of the individual involved, (person) and the environment, (place) where substance use occurs
- A sanction or consequence for breaking the rules on the school site, consistent with the Behaviour Policy e.g detention
- Contact with the parents/ carers to discuss appropriate support
- Pastoral support programme and monitoring of the student
- Referral with the young person's consent to a relevant support agency e.g. Compass Reach

### **8.13 Exclusion for substance-related incidents**

Research shows that students who are excluded from schools and those who absent themselves from school are often the most vulnerable to becoming or remaining at serious and higher risk of involvement with substances compared to their peers remaining in school. Every effort should therefore be made to retain students in school. The Dfe and ACPO Drug Advice for schools (2012), clearly states that exclusion should not be the automatic response to a drug incident and permanent exclusion should only be used in serious cases. Therefore:

- Schools should not adopt policies which will automatically lead to exclusion of students involved in substance related incidents. There should always be sufficient flexibility to allow students to remain in school, monitored with risk assessments in place where necessary. To provide appropriate opportunities for individuals to re-engage with the learning process
- First offenders should only be excluded in the most extreme cases. The seriousness of an offence can be communicated to a school community very effectively without necessarily excluding. Referral to the appropriate agency should be the first response
- Students should not be excluded for substance related incidents which happen out of school but again their needs should be supported
- Schools must ensure that any exclusions related to a substance related incident is not in breach of equalities legislation or Looked After Children legislation
- If a school ultimately decides on exclusion for substance related incidents, it will need to account for the strategies and provision which have been put in place for that individual prior to the exclusion and to have evaluated why that did not succeed in re-engaging the student.