

## Smoking, Alcohol and the Misuse of Drugs and Substances Policy

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### 1. The Policy

- 1.1. This policy applies to the schools and boarding houses of the Stephen Perse Foundation (the **Foundation**) and should be read in conjunction with the Behaviour, Rewards and Sanctions Policy.

### 2. Introduction

#### 2.1. Scope

- 2.1.1. The policy relates to possession, supply and use/consumption of Alcohol, Drugs and Substances (see definitions below) and to the use of Tobacco (see definition below) on the Foundation's premises, grounds and vehicles.
- 2.1.2. This policy applies to all students and at all times when a student is: in or at the Foundation, representing the school and/or Foundation or wearing school uniform, travelling to or from school, on school organised trips and visits or associated with the Foundation at any time. It shall also, in appropriate circumstances, apply to the conduct of students outside of the above circumstances, for example at weekends, half term and in the holidays, if in the opinion of the Foundation, the conduct concerned impacts or may impact upon the student's conduct at the Foundation, the reputation of the Foundation or where the conduct in

question affects the welfare of a member or members of the Foundation. The procedures and sanctions may be adapted as appropriate to meet the policy aims and the circumstances of each case. Certain procedures can only be carried out during term time.

## **2.2. Definitions**

- 2.2.1. Alcohol:** means intoxicating liquor of all descriptions (including beer, cider, wine and spirits) and this policy covers obtaining, consuming, and supplying alcohol.
- 2.2.2. Drugs and Substances:** means controlled drugs and the paraphernalia of drugs or substances intended to resemble drugs, new psychoactive substances known as "legal Highs", "legal" drugs (including but not limited to ketamine, khat and alkyl nitrates) and those drugs and substances (including prescription drugs) which can be obtained over-the-counter or from a chemist shop or online source, performance enhancing drugs, anabolic steroids, glue and other substances possessed, used and or supplied in each case for purposes of misuse. This policy covers the possession, use and supply of such substances.
- 2.2.3. Tobacco:** means any tobacco-related product and includes cigarettes, cigars and pipes and any other smoking related products such as personal vaporisers, electronic nicotine delivery systems and electronic cigarettes.
- 2.2.4. Smoke Free Policy:** The Foundation is a public place; smoking is therefore illegal for everyone, including staff and visitors. The Foundation operates a smoke free policy within its premises, grounds and vehicles. The total smoking ban applies to the whole Foundation community including students, employees, parents/carers, visitors, members of the public and others working in or using the Foundation's premises, grounds or vehicles.

## **3. Policy aims**

- 3.1. The central aims of this policy are:
- to promote safety, welfare and good physical and mental health;
  - to promote a mature and moderate approach to the use of Alcohol;
  - to reduce the risk of Alcohol-induced misconduct in the Foundation;
  - to prevent smoking on the Foundation's premises, grounds and vehicles;
  - to discourage the use of Drugs and Substances through education, pastoral care and through a disciplinary framework which treats the supply, possession and use of Drugs and Substances by its students as serious breaches of the Behaviour, Rewards and Sanctions Policy; and
  - to ensure compliance with criminal law under which it is an offence for any person to possess, use, supply or sell controlled Drugs or for the Foundation to allow its equipment or premises to be used for those purposes.
- 3.2. This policy does not seek to prevent students taking medication that has been prescribed by their doctor for their medical condition during the school day. Please see the Medicines Policy and Supporting Students with Medical Conditions Policy.

## **4. Prevention and procedures**

- 4.1. Education:** We educate students to understand the effect and risks associated with Alcohol, Tobacco and Drugs and Substances in relation to their short-term and long-term health and

well-being and the law. Students are taught that the use of illegal drugs is or may be a criminal offence and will be harmful to their health, integrity, independence, opportunities and careers and will damage the society in which they live. We educate by means of an age appropriate Personal, Social Health and Economic Education (PSHEE) programme, that includes the identification, physiological and psychological effects, and classification of 'legal' and illegal drugs, exploring the effect of Tobacco, Alcohol and Drugs and Substances use on those around the user. We have assemblies and may invite external visitors to speak on the subject.

**4.2. Pastoral care:** We encourage students to discuss any anxieties they may have about the use of Tobacco, Alcohol or Drugs and Substance abuse with a member of staff or a Foundation counsellor. The Foundation has a duty to override any duty of confidentiality owed to a student and information may be reported to the Principal, Vice Principal, Head of School, the Head of Boarding, boarding staff, a Designated Safeguarding Lead, a member of the relevant Senior Leadership Team, Pastoral Leaders and/or the student's tutor. If discussions raise child protection issues, these will be dealt with in accordance with the Foundation's Safeguarding and Child Protection Policy. Matters brought to the attention of a staff member or into counselling by a student or his / her parent/s or carer/s or a friend, in circumstances which are genuine, may be "ring-fenced" from disciplinary sanctions, but a student who contravenes this policy will face disciplinary sanctions.

**4.3. Parents:** If Parent/s or carer/s attending Foundation premises appear to be under the influence of Drugs or Substances or Alcohol, they will be asked to leave and the member of staff making the request should refer the matter to the Designated Safeguarding Lead (DSL) or in their absence, another Deputy Designated Safeguarding Lead (DDSL). If a member of staff suspects that a parent/carer has driven or will drive whilst under the influence of Drugs, Substances or Alcohol, the member of staff should report the matter to the DSL/DDSL or a member of the senior leadership team who may telephone the police. If the DSL/DDSL reasonably believes that a student or other child is at immediate risk of harm from a parent/carer who is under the influence of Alcohol or Drugs or Substances, the student/child will not be released into the care of the parent/carer and the Foundation's child protection procedures will be followed.

**4.4. Foundation Rules:** The Rules forbid a student from:

- smoking inside any Foundation building, grounds or vehicles, or in the immediate vicinity thereof. Smoking is also prohibited at the Latham Road sports field and the nature reserve. Students are not allowed to smoke when they are in the care of Foundation, whether on or off Foundation premises;
- any possession, use or supply of Drugs and Substances;
- consuming Alcohol during the school day or while in the care of the Foundation, whether on or off the Foundation premises. With the consent of their parents and the house staff, there are a small number of formal events organised and supervised by the Foundation where Sixth Form students may drink alcohol on a limited basis.
- bringing Alcohol onto Foundation premises or being in unsupervised possession of Alcohol or obtaining or supplying Alcohol to another, or being impaired by Alcohol while on Foundation premises or in the care of the Foundation;
- bringing the Foundation into disrepute for any reason associated with Tobacco, Alcohol, Drugs or Substances. Action may be taken when the welfare of any member of the Foundation community or the reputation of the Foundation may be affected.

**4.5. Detection:** The Foundation has the right (without creating an obligation) to investigate any complaint, report, rumour or observation in relation to involvement with Tobacco, Alcohol, Drugs and Substances. A student suspected of such involvement may be temporarily excluded pending the outcome of an investigation in accordance with the Behaviour, Rewards and Sanctions Policy. If the investigation raises Child Protection issues, these will be dealt with in accordance with the Foundation's Safeguarding and Child Protection Policy.

## **5. Searches for Tobacco, Alcohol, Drugs and Substances**

5.1. Searches for Tobacco, Alcohol, Drugs and Substances will be carried out in accordance with the Foundation's Searching and Retention and Disposal of Confiscated Items Policy.

5.2. Before any search is undertaken, the student will usually be asked to consent. Where the student is not deemed to have sufficient maturity or understanding, consent to search will be sought from a parent.

5.3. A student and/or their property, locker or boarding room, may be searched without their consent for Tobacco, Alcohol, Drugs and/or Substances in accordance with the Foundation's Searching and Retention and Disposal of Confiscated Items Policy. Reference should also be made to the Foundation's Behaviour, Rewards and Sanctions Policy and Physical Intervention (Positive Handling) Policy.

**5.4. Informing parents:** There is no legal requirement for the Foundation to inform parents before a search takes place or to seek their consent, and it is not generally practical to do so. However, the Foundation will inform parents of any search that takes place and provide details of any relevant items found.

**5.5. Seizure and disposal:** School staff may seize any prohibited item found as a result of a search. They may also seize any item, however found, which they consider harmful or detrimental to school discipline. Any Alcohol, Drugs, Substances and Tobacco which have been seized will be disposed of in accordance with the Searching and Retention and Disposal of Confiscated Items Policy and will not be returned to the student.

5.5.1. Controlled Drugs, or substances suspected to be controlled Drugs, will be treated as per the 'Police involvement' section below.

**5.6. Police involvement:** If the Foundation seizes a controlled Drug or other Substance the Foundation will keep this in a locked safe in a sealed plastic bag and include details of the time, date of the find/seizure and witness present and will alert the police immediately and follow their instructions. In all other cases, the Foundation may decide to request the involvement of the police from the outset. If the police suspect that a student possesses or has stored Drugs, Substances or related paraphernalia, the police may elect to investigate using their own procedures or may pass the matter back to the Foundation to investigate. The police will be told the name of the student from whom the Drugs or other Substances were taken and the details of the incident, including the police reference number will be recorded. In normal circumstances, parent/s /carer/s will be informed.

## **6. Investigation**

- 6.1. Subject to the terms of this Policy, the Foundation may take such action as it deems appropriate at the time with regard to a complaint, report, rumour or observation in relation to involvement with Tobacco, Alcohol, Drugs and Substances in or out of the normal school day, whether on or off Foundation premises.
- 6.2. In cases which would amount to possible serious misconduct, as defined in the Behaviour, Rewards and Sanctions Policy, the procedures set out in Annex 3 of that policy will be followed.

## **7. Alcohol or Drugs testing**

- 7.1. The student may be asked to take an Alcohol or Drugs test (by giving a sample of breath or urine) as outlined in Appendices 1 & 2.
- 7.2. **Informed consent:** The relevant consent to a test is that of the student rather than the parent/s / carer/s, even if the student is under 16 years of age, provided he / she is of sufficient maturity and understanding and gives his / her informed consent in writing. The member of staff leading the investigation will determine whether or not the student is able to provide this consent and may request the additional opinion of a medically qualified person.
- 7.3. Refusal to provide a urine or breath sample for testing under this policy may result in the student being expelled or required to leave the Foundation.

## **8. Sanctions**

- 8.1. Any sanction shall be in accordance with the Foundation's Behaviour, Rewards and Sanctions Policy.
- 8.2. The factors that will be taken into account when deciding on the appropriate sanction to impose will include, but are not limited to:
  - a. Whether the student's involvement with Tobacco, Alcohol, Drugs or Substances included possession, supply, spiking, paying money or trading sexual favours;
  - b. Whether the student's involvement with Tobacco, Alcohol, Drugs or Substances took place on or off Foundation premises;
  - c. Whether the student's involvement with Tobacco, Alcohol, Drugs or Substances involved other students;
  - d. The extent of the student's honesty and co-operation (or otherwise) in the Foundation's investigation;
  - e. Any recent warnings given to students about the disciplinary consequences of Tobacco, Alcohol, Drug or Substance activity;
  - f. The class or nature of the Drug or Substance concerned; and

g. Legal advice and any other relevant factor.

8.3. Alternatively or additionally, a drugs testing programme may be offered. In exceptional circumstances the student may be offered a Supportive Regime of random drugs testing in accordance with Appendix 3. The Principal is not required to offer such a Regime.

## **9. Appeals**

9.1. Parents are entitled to ask for a Review by the Governors of a decision to expel or to require the student to leave for disciplinary reasons.

9.2. There will be no right to a Governors' review of other sanctions but a student or their parents may ask for a Review by the Principal or the Vice Principal of a decision to suspend a student or to exclude them for a fixed period. Please see paragraphs 9 and 10 of Annex 3 to the Behaviour, Rewards and Sanctions Policy.

## **10. Review and monitoring**

10.1. This policy has been authorised by the Governors.

10.2. This policy will be reviewed:

- following any serious incident involving students and Tobacco, Alcohol, Drugs and Substances;
- following the issue of any new guidance from the Department for Education (DfE) or Police;
- in any event, annually.

10.3. The review will be carried out by the named policy holder and reviewed by the Heads of Schools who will also evaluate the effectiveness of education on these matters in the Foundation. A report will be made to the Governing Body who will authorise any necessary amendments.

## **11. Related Policies**

- Behaviour, Rewards and Sanctions Policy
- Medicines policy
- Physical Intervention (Positive Handling) Policy
- Searching and Retention and Disposal of Confiscated Items Policy
- Supporting Pupils with Medical Conditions Policy

**Reviewed:** June 2021

## Version Control

Date of adoption of this policy	6 July 2021
Date of last review of this policy	22 July 2021
Date for next review of this policy	Spring Term 2022
Policy owner	Head of Sixth Form
Authorised by	Governing Body

## **Appendix 1**

### **1. Testing for alcohol**

- 1.1. The Principal/Vice Principal will authorise a member of staff at the time of the incident to administer the breathalyzer test approved by the Foundation and suitable for the purpose of testing for the presence, or otherwise, of Alcohol. The student will be accompanied by an available supporting member of staff of the student's choosing. One of the members of staff will be of the same gender as the student. The test will be carried out in the presence of both members of staff and the student. The result of the test will be communicated to the member of staff carrying out the investigation and to the parent/s /carer/s of the student involved as soon as possible. If the test shows a positive result, and the student admits to being under the influence of Alcohol there may be no need for a further test for independent analysis.

### **2. Refusal**

- 2.1. If a student refuses to provide a sample of breath, the result is not clear, the student disputes the procedure/test result or the member of staff carrying out the investigation or parent/s / carer/s request it, a urine sample will be required for independent analysis in accordance with the Drug Testing procedures (see Appendix 2).

### **3. Record**

- 3.1. A written record will be kept when a student is asked to take a test, signed consent will be obtained from the student (subject to having sufficient maturity and understanding) and the outcome of the test will be recorded.

## Appendix 2

### 1. Testing for drugs and / or other substances

- 1.1. If, outside the context of confidential counselling, there is reason to suspect that a student has been involved with Drugs or Substances, he / she may be asked to supply, under medical supervision, a urine sample for analysis.
- 1.2. Refusal to provide a urine sample for testing under this policy may result in the student being expelled or required to leave the Foundation.
- 1.3. **Medical supervision:** The urine sample will be taken under medical supervision. In addition a member of the school senior leadership team will be present. All due care will be taken to respect the student's privacy and human rights.

### 2. Testing procedures

- 2.1. These will be in accordance with standard good practice:
  - care will be taken to make as certain as possible that the sample provided is genuine and uncontaminated;
  - the urine sample will be poured into two clean sample bottles which will be sealed and labelled immediately in the student's presence. The bottles will then be placed in an appropriate envelope;
  - the supervisor will organise the paperwork. The student will be asked to sign various seals and documents which confirm that the specimens are his / hers. The student will also be asked to sign a form which signifies that he / she has been satisfied with the collection procedure and gives consent for the results of the test being made available to the Head of School and (where necessary) the Principal;
  - the forms and one sample will then be sent immediately and securely to a medical professional to carry out the test.

### 3. Medical record

- 3.1. The outcome of the test, whether positive or negative, will not form part of the student's permanent medical record.

### 4. Outcome

- 4.1. When the Foundation receives the laboratory report:
  - the result of the test will be notified to the student's parent/s/ carer/s, and to the student;
  - if the result is negative, the second sample will be destroyed immediately;
  - if the result is positive, the second sample will be made available for independent analysis. The duplicate sample will be retained for seven days after the parent/s / carer/s have been sent notification of the test result. If the parent/s / carer/s do not within that period, and in writing, request the Foundation to send the duplicate sample to a laboratory of their own choice for testing, the Foundation will instruct the testing facility to destroy the duplicate sample. The testing of the duplicate sample will be at the parent's/carers' expense.

### Appendix 3

#### Consent to Drugs testing - Supportive Regime

Full name of student

Date

Student's date of birth

Age now

1 I have admitted a breach of the Foundation's Smoking, Alcohol and the Misuse of Drugs and Substances Policy and applicable Foundation Rules;

2 As an alternative to exclusion/removal, the Principal has offered me a Supportive Regime under which:

2.1 for the remainder of this term and the next three school terms, (without obligation to do so on the part of the Foundation), I may at any time be asked to provide a urine sample under medical supervision for analysis in accordance with the procedures described in the attached policy which I have read and understood;

2.2 I understand that I may be asked to provide a urine sample at any reasonable time even if no grounds exist at that time to suspect that I have been in possession of or involved with Drugs or Substances;

3. The existence of this Supportive Regime together with any requirement for a sample to be given, the taking of the sample and the communication of results shall be treated as confidential information and shared with staff on a 'need to know' basis. The Foundation cannot, however, accept any responsibility (unless negligent) if such information becomes known among other members of staff or students;

4. Every sample will be given, and tested in accordance with Appendix 2;

5. The cost of each screening test and/or urine sample analysis shall be charged to my account as an extra amount payable by my parent/s / carer/s;

6. I agree to be subject to this regime and to cooperate with the Foundation in every respect. I understand that the Foundation will take all reasonable care to preserve my confidentiality and human rights in the operation of this Regime;

7. I have read and understood this form. I understand and accept this Supportive Regime as a condition of my remaining at the Foundation and will give full cooperation. I understand that if the Principal, acting on information, is of the opinion that I have failed to co-operate or if a test proves positive, it would almost certainly lead to my permanent exclusion or removal from the Foundation.

Student's signature:.....

Student's full name: .....

I/We, the person/s having parental responsibility for the above-named student have been informed that the student has admitted a breach of the Foundation's Smoking, Alcohol and the Misuse of Drugs and Substances Policy. I/We and the student recognise that this admitted action is a serious breach of school discipline which entitles the Principal to expel the student or require the student to leave the Foundation permanently.

First signature.....Second  
signature.....

Full name.....Full  
name.....

Relationship to student.....Relationship to  
student.....

Address.....Address.....

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Telephone.....Telephone.....

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