



# Management of Drugs Incidents Policy

Review Period: 2 Yearly – Summer Term

Review By: Leadership Group & H&S

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## Policy Statement

This policy formalises and clarifies the way in which South Warwickshire Education Partnership schools respond to drug related incidents.

The Management of Drugs Incidents Policy has been developed in consultation with all other secondary schools in South Warwickshire. Central to this is the understanding that the unauthorised possession, use or supply of illegal and other unauthorised drugs, legal highs (and alcohol) within School boundaries is unacceptable. Clear protocols and expectations relating to the management and reporting of drugs incidents within School are set out within the policy, and are common to all secondary schools in South Warwickshire.

The policy seeks to support and encourage an underlying culture of intolerance to drugs within our society and the principle of 'Say no to drugs'. This is supported by a planned drug education programme (see separate **Drugs Education Policy**)

It is recognised that controlled drug misuse is a criminal offence and if discovered on School premises it will be dealt with robustly, where appropriate taking advice from the police. The methods of investigation and sanctions will be in keeping with the School's Behaviour Policy.

This policy also provides advice and guidance to staff on the procedures to be followed when dealing with drug-related incidents (whatever the circumstances) in a fair, professional and proportionate manner.

## 1. DRUG-RELATED INCIDENTS

- 1.1. Legislation defines 'Drug Misuse' as the non-medical use of drugs that are only intended for use in medical treatment, and the use of drugs that have no accepted medical purpose. Such drugs are prescribed and controlled under the Misuse of Drugs Act 1971. The Act does not cover other substances such as solvents, tobacco and alcohol. (see Appendix 1: Controlled Drugs)
- 1.2. A substance-related incident is:  
*'Any incident which is suspected to be substance-related by any responsible person affected, occurring within the confines and curtilage of the School premises or featuring within organised School activity, occurring outside the premises and usual School times.'* – the reasonable person test.

This includes any or all of the following:

- drugs or drugs paraphernalia found on School premises;
- students in possession of unauthorised drugs;
- students supplying unauthorised drugs;
- students under the influence of drugs, or exhibiting signs of intoxication or illness;
- disclosure of drug use;
- information suggesting student(s) involved in substance misuse
- illegitimate sale/supply of drugs in the School vicinity.

But it will not include:

- the supply and management of prescribed drugs to students as approved by a medical practitioner and parents/guardian.

## 2. ROLES AND RESPONSIBILITIES

- 2.1. The Headteacher takes overall responsibility for the policy and its implementation – for liaison with the governing body, parents/guardians, Local Authority and outside agencies.
- 2.2. The governing body will oversee policy implementation and be involved in drug education and drug-related incidents in the same manner as any other matters concerning the direction of the School. The governing body will also agree and record its position in relation to allowing access for 'speculative visits' by the police in the furtherance of prevention and investigation of drug misuse (sniffer dogs), and whether advance notice will be given or the issue delegated to the discretion of the Headteacher. Any decisions supporting this type of activity should be communicated to staff, parents/guardians and students.
- 2.3. The Headteacher will ensure all staff dealing with substance issues are trained and experienced.

## 3. INVESTIGATION

- 3.1. The Headteacher (or Deputy, in the Headteacher's absence) will decide upon the appropriate level and nature of investigation, having established the basic details and seriousness of the situation. It is the primary role of the police to investigate a criminal offence such as those encompassed under the Misuse of Drugs Act. This will run in conjunction with and in support of School's discipline procedures.
- 3.2. It is good practice to isolate the person suspected to allow a better examination of the issue. This may include suspension to enable investigations to take place.

## 4. SANCTIONS

- 4.1. Central to this policy is the concept of commonality in sanctions across South Warwickshire Education Partnership schools.
- 4.2. Any response will balance the needs of the individual with those of the wider community, and aim to provide students with the opportunity to learn from their mistakes and develop as individuals. Exclusion, be it fixed term or permanent, is the accepted response for proven violations of possessing and supplying drugs, and students should understand that they may be excluded if they are involved in drug use. The nature of the drug involved and its classification as prescribed by the Misuse of Drugs Act 1971 and amendments is the significant factor in this decision. The attendant circumstances such as quantities involved, the number and vulnerability of others in the School population affected, impact on the community, repeat offending, and previous character of persons involved should be further considered as aggravating or mitigating features in any decision-making process.
- 4.3. Save in exceptional circumstances, a student will be permanently excluded for possession, possession with intent to supply or supplying controlled drugs, even for a one-off or first time offence.
- 4.4. Following an incident where a student remains in or returns to School, opportunities will be provided for the student to learn from their mistakes and develop as individuals. Opportunities include:
  - review with parents/carers after the incident
  - further drugs education
  - targeted support on a one to one basis.
  - referral to an outside agency

## **5. ANONYMOUS INCIDENT REPORTING**

- 5.1. Verification will be sought on any anonymous information before positive action is considered.

## **6. MONITORING AND EVALUATION**

- 6.1. Every effort will be made to review an incident after a formal School/police investigation.
- 6.2. This policy will be regularly reviewed by South Warwickshire Education Partnership members to ensure relevance and content in accordance with need.

## Appendix 1: Controlled Drugs

The Government defines 'Drug Misuse' as the non-medical use of drugs that are only intended for use in medical treatment. The use of drugs that have no accepted medical purposes are controlled under the Misuse of Drugs Act 1971. (The act does not cover solvent misuse)

DRUG CLASS	DRUG TYPE	COMMENTS
<b>A</b>	Heroin, Methadone, Opium, Cocaine, Crack Cocaine, LSD, Cannabis Oil, Ecstasy, Processed Magic Mushrooms, any Class B drug which is injected	Possession < 7 years Supply < Life
<b>B</b>	Amphetamine (Speed), Barbiturates, Codeine, Cannabis (Herbal and Resin)	Possession < 5 years Supply < 14 years
<b>C</b>	Mild Amphetamines, Tranquillisers – Valium, DF118 (Painkillers), Ketamine	Possession < 2 years Supply < 14 years

## The law on drugs

It is an offence under the Misuse of Drugs Act 1971:

- to possess, possess with intent to supply, or supply a controlled drug to another in contravention of the Act
- it is a defence, that knowing or suspecting it to be a controlled drug, the accused took possession of it for the purpose of preventing another from committing or continuing to commit an offence. In so doing he/she as soon as possible took all such steps that were reasonably open to destroy or deliver into the custody of a person lawfully entitled to take custody of it.
- for the occupier or someone concerned in the management of any premises, knowingly to permit or suffer on those premises, the smoking of cannabis, or the production, attempted production, supply, attempted supply, or offering to supply any controlled drug.
- although the possession/supply of cannabis has been down graded to Class C, the maximum prison sentence for supply has been increased to 14 years. A specific power of arrest for possession has been created, in aggravating circumstances, such as connections to young people.

## Appendix 2: Signs of Possible Drug Misuse or Substance Misuse

Some of the main signs which may be associated with drug misuse are summarised in Tables 1, 2 and 3. The presence of these signs alone is not conclusive proof of drug or solvent misuse; many of them are part of normal adolescence.

Early detection of drug misuse is extremely important. If a young person's drug misuse is identified at an early stage, it is easier for action to be taken to prevent further misuse of drugs. Teachers, and non-teaching staff, should be alert to the warning signs which may indicate that a student is misusing drugs. Teachers need to be particularly vigilant when they are in charge of activities which take groups away from the School premises.

### Table 1: Warning Signs in Individuals

- changes in attendance, and being unwilling to take part in School activities
- decline in performance in Schoolwork
- unusual outbreaks of temper, marked swings of mood, restlessness or irritability
- reports from parents that more time is being spent away from home, possibly with new friends or with friends in older age groups
- excessive spending or borrowing of money
- stealing money or goods

- excessive tiredness without obvious cause
- no interest in physical appearance
- sores or rashes especially on the mouth or nose
- lack of appetite
- heavy use of scents, colognes etc. to disguise the smell of drugs
- wearing sunglasses at inappropriate times (to hide dilated or constricted pupils)

**Table 2: Warning Signs in Groups**

- regular absence on certain days
- keeping at a distance from other students, away from supervision points (eg groups who frequently gather near the gate of a School playground or sports field)
- being the subject of rumours about drug-taking
- talking to strangers on or near the premises
- stealing which appears to be the work of several individuals rather than one person (eg perhaps to shoplift solvents)
- use of drugtakers' slang
- exchanging money or other objects in unusual circumstances
- associating briefly with one person who is much older and not normally part of the peer group

**Table 3: Objects that may indicate Drug Misuse**

- foil containers or cup shapes made from silver foil, discoloured by heat
- metal tins
- spoons discoloured by heat
- pill boxes
- plastic, cellophane or metal foil wrappers
- small plastic or glass phials or bottles
- twists of paper
- straws
- sugar lumps
- syringes and needles
- cigarette papers and lighters
- spent matches
- plastic bags or butane gas containers (solvent abuse)
- cardboard or other tubes (heroin)
- stamps, stickers, transfers or similar items
- shredded cigarettes, home-rolled cigarettes and pipes (cannabis)
- paper (about 2 inches square) folded to form an envelope (heroin)

**Appendix 3: Practical Guidance for Staff**

1. All incidents involving illegal drugs or so called 'legal highs', either inside or outside of School, must be reported to the Headteacher. Never assume it is a rumour or isolated incident. Any information may help to give a more accurate picture of substance misuse in the area and help to safeguard the health and safety of young people.
2. If a member of staff suspects that a student is intoxicated or under the influence of drugs they should follow the First Aid and Medical Emergencies guidelines.

3. While it is advisable to isolate the individual from other students, he or she must not be left alone. Do not shout, threaten them or initiate discussion about drug use. Talk quietly and calmly, especially if the student is distressed.

#### **Appendix 4: Searches**

##### *Personal searches*

When a person is suspected of concealing illegal or other unauthorised drugs, every effort will be made to persuade the person to hand over any drugs voluntarily, in the presence of a second witness. Where the individual refuses, the Headteacher or staff authorised by them has a statutory power to search the pupil or their possessions, without consent, where they have reasonable grounds for suspecting that the pupil may have drugs. The School will take all reasonable steps to follow the latest Government guidelines in conducting a search. After any search involving students, parents/carers will normally be contacted by the School, regardless of whether the result of the search is positive or negative.

##### *Searches of School property*

Staff may search School property, for example, students' lockers if they believe drugs to be stored there. Prior consent will always be sought. Individuals will be made aware that if consent is refused the School may wish to proceed with a search. However, when consent is refused, the School will balance the likelihood that an offence has been committed against the risk of infringing the individual's privacy without just cause.

#### **Appendix 5: Disposal**

In taking temporary possession and disposing of suspected illegal drugs the School will:

- ensure that a second adult witness is present throughout;
- seal the sample in a plastic bag and include details of the date and time of the seizure/find and witness present;
- store it in a safe and secure location with access limited to two senior members of staff;
- without delay notify the police, who will collect it, and then store or dispose of it in line with locally agreed protocols. The law does not require the School to divulge to the police the name of the student from whom the drugs were taken. Where a student is identified, the police will be required to follow set internal procedures;
- inform parents/carers, unless this would jeopardise the safety of the student.

##### **Alcohol and tobacco**

These will be disposed of, and parents informed.

##### **Volatile substances**

Given the level of danger posed by volatile substances, the School will arrange for their safe disposal. Small amounts will be placed in a bin to which students do not have access.

##### **Needles/sharps**

Needles or syringes found on School premises will be removed with due regard to health and safety (eg by picking up with a litter picker or with thick leather gardening gloves or sweeping up using a dustpan and brush) and then placed in a plastic screw top bottle, or other suitable container. This will be placed in the domestic waste. If a significant number of syringes are found, Stratford District Council should be contacted for further advice on disposal.