



Drugs and Substances Policy

The first of all things to aim at is to love the Lord God with your whole heart and soul and strength ... Your hope of fulfilment should be centred in God alone (R.St.B. Chapter 4)

Policy

This document sets out the policy of Downside School in respect of any pupil, who is found or suspected to be using, supplying, producing, storing or possessing illicit drugs / substances or associated with any of these activities. This document will be amended from time to time. It reflects the School's most recent conclusions about the dangers and effects of drug abuse, not only in the school environment but in society at large.

Definitions

In this context, '**DRUGS**' or '**SUBSTANCE**' means without limitation controlled drugs including for example cannabis, amphetamines, ecstasy, cocaine, heroin, and LSD, or substances intended to resemble drugs. It also means solvents, aerosols, nitrous oxide (laughing gas), performance enhancing drugs, anabolic steroids, mushrooms and other substances possessed or supplied in each case for purposes of misuse, including 'new psychoactive substances (NPS)'. '**DRUGS**' or '**SUBSTANCE**' within the context of this policy also applies to any medication obtainable on prescription that has not been prescribed for the person using it. In addition, reference should be made to Government guidance regarding the list of most commonly encountered drugs currently controlled under the misuse of drugs legislation (updated 01 June 2017).¹

This policy covers the possession, use and supply of all such substances and applies at all times, whether or not the pupil is in the care of the School.

Education Programme

We are committed to promoting a healthy, safe environment at Downside School, in which good citizenship and respect for the law can flourish. We believe that it is important to deliver a clear, consistent moral framework that promotes the integrity of our community, and gives all of our pupils the understanding and self-confidence to reject illegal drugs and substances.

We have an extensive SMSC (Benedictine Living) programme at Downside that focuses upon the potential short-term and long-term risks to health from drug and substance abuse. As with our related programmes concerning alcohol and tobacco, the programme concentrates on teaching the importance of young people making healthy, informed choices. However, they also include an ethical dimension, designed to instil an understanding of complying with criminal law.

Our Health Centre staff play an active role in promoting greater awareness about the risks involved, and will offer informed medical advice. Pupils can also discuss their individual worries about drugs or substances with their House Master / Mistress or other pastoral staff. They can also refer themselves to the Health

¹ The list shows each drug's respective classifications under both the Misuse of Drugs Act 1971 and the Misuse of Drugs Regulations 2001. The list is not exhaustive and, in the event of a substance not being listed above, reference should also be made to the published Act and Regulations at legislation.gov.uk, specifically Parts I, II, III and IV of [Schedule 2 to the Misuse of Drugs Act 1971](#) and in [Schedules 1 to 5 to the Misuse of Drugs Regulations 2001](#).

Centre staff and to the School Counsellor or Independent Listener for individual guidance, without fearing sanctions or adverse report.

Aims

The central aim of this policy is to keep drugs out of the School and promote a culture in which drug use is viewed as unacceptable. We aim to do so by means of education, pastoral care, detection of users and a sanctions policy. The School aims to provide a secure environment for both its pupils and its staff, free to the fullest extent possible from the incidents of mental or physical harm which result from drug abuse. With this in mind, the provisions of this policy are as follows:

- to make every person in the School aware that to use, possess, consume, store, sell or distribute illicit drugs or substances or associated with any of these activities within the School renders the person concerned liable to disciplinary action which may result in removal or dismissal.
- to make every person also aware that to be within the premises under the influence of illicit drugs (including NPS) or substances renders the person concerned liable to the same disciplinary action as above.
- to ensure that every person understands the wider implications of being involved with drugs or substances.
- to make every person aware that academic performance, health - both mental and physical - and safety may be impaired by the abuse of drugs / substances.
- to make every person aware that anyone who abuses drugs / substances is potentially a cause of harm not only to themselves but to others.
- to encourage any person who realises the existence of a problem with drugs / substances, either in him/herself or in someone else, to speak in confidence with a view to remedial action being taken.

School Regulations

A pupil will be subject to disciplinary procedures and will be liable for expulsion if he/she:

- is found to be in possession of illicit drugs / substances or is consuming, storing, selling, or distributing illicit drugs / substances within the School, in its vicinity or in the company or presence of other pupils of the School. This includes being associated with any of this activity
- anyone supplying or involved with the supply, production or cultivation of drugs must expect to be expelled immediately, even if he/she is about to sit public examinations;
- arrives in the School at any time under the influence of illicit drugs / substances (including NPS);
- is found to be intoxicated within the School or in the opinion of the staff is having his/her performance or awareness impaired by the consumption or ingestion of any drug / substance;
- refuses to consent to a test or in any way tries to obstruct the procedure for taking a test or attempts to pervert the result of a test for illicit drugs / substances;
- refuses to cooperate with any questioning, search or other enquiry into the use or presence of illicit drugs / substances within the School.

The Head Master, the Deputy Head Master, the Director of Pastoral Care, the House Masters / Mistresses, and/or any member of the staff delegated by any of the above are regarded by the School as having the right to search the room, possessions, luggage or person of any pupil suspected of any activity detailed above, and to demand an immediate drug test in the presence of a member of the medical staff of the School, without prior notice to a parent or guardian, subject to the School's search policy.

If any person possesses, stores, uses, supplies or produces illicit drugs / substances on the premises then the School will refer the matter to the police and seek advice. This applies also to any medication obtainable on prescription but has not been prescribed for the person using it.

The Responsibilities of Parents

We encourage parents to:

- keep their child as informed as possible about the consequences of drug / substance abuse, and to leave him/her in no doubt that they do not condone or excuse the lifestyle of drug-taking.
- discourage as far as possible their child from associating with people known to be using illegal drugs / substances and from attending places or functions where drugs / substances are known to be used.
- keep careful watch on the amount of money that their child has available, and not to allow him/her excessive amounts which may carry the temptation to buy drugs / substances.
- avoid putting their child in any position where they are tempted to use illegal drugs / substances.
- be continually vigilant about the physical and mental well-being of their child, and to notice any changes in his/her physical appearance or behaviour which may have drug-taking or substance abuse as its cause.

If Parents attending the School premises appear to be under the influence of drugs, they will be asked to leave and the member of staff making the request should refer the matter to the School's Designated Safeguarding Lead (DSL). If a member of staff suspects that a parent has driven or will drive whilst under the influence of drugs, the member of staff should report the matter to the DSL or a member of the Senior Leadership Team who may telephone the police. If the DSL reasonably believes that a child is at immediate risk of harm from a parent who is under the influence of drugs, the child will not be released into the care of the parent and the School's child protection procedures will be followed.

The Responsibilities of the School

- to keep every pupil as informed as possible about the dangers of drug / substance abuse, and to be explicit in the disapproval of the lifestyle of drug taking.
- to communicate with parents any anxiety which may be felt about the physical or mental well-being of their child.
- to be continually vigilant about the appearance and behaviour of members of the School, and to make immediate investigations if there is any indication of drug / substance abuse.
- to make investigations in the event of any rumours or hearsay that a person is involved in drug taking or substance abuse or involved with any of this activity.
- in the event of any pupil being suspected of drug-taking / substance abuse, to issue him/her with a formal warning about its dangers and consequences, to notify to parents the fact that the warning has been given, and, at the discretion of the Head Master or Deputy Head Master, to demand a drugs test by urinary sample without prior notice being given.
- before any test takes place, to seek to obtain the consent of the person from whom the test is being demanded.
- to treat any member of the School suspected of this offence with as much consideration and courtesy as possible.

The Responsibilities of Pupils

- to keep themselves informed about the dangers and consequences of using illicit drugs / substances.
- not to use or supply, cultivate or produce illicit drugs / substances or be involved in any of this activity.
- to bring to the notice of the Head Master, Deputy Head Master, the Director of Pastoral Care or a House Master / Mistress any concerns which they have about the activities of any fellow pupil, with a view to the situation being remedied.
- to urge any fellow pupil who is involved in illicit drugs / substances to seek help.
- not to conceal or collude with any activity which involves the distribution, possession or use of illegal drugs / substances.
- not to use or possess any drugs or substances and their associated paraphernalia.

The School must take all reasonable steps to deter pupils from drug use and prevent pupil access to illicit materials. The School will therefore seize any related substance or paraphernalia as per the School's separate policy on searching and confiscation.

Investigation of Potential Drug/Substance Abuse

We will **always** investigate rumours about involvements in illegal drugs and substances where there is sufficient evidence to do so, including questioning a pupil, searching his/her room and personal possessions (see below). We will inform parents and guardians as a matter of urgency and invite them into the School to discuss the matter.

The following are guidelines which inform the School's procedure if there is reason to believe that a pupil is involved in the abuse of controlled drugs or the abuse of substances.

Evidence of Misuse

Any pupil who, while at School or in the vicinity of the School, or in the care of the School, is found to use, possess, supply or deal in drugs or substances, or demonstrates an obvious intention to do any of these things, must expect to be expelled from the School (excluded permanently), regardless of whether or not the pupil is about to take public examinations. A positive drug test under the supportive regime may also lead to expulsion (permanent exclusion), as explained below.

Searches for drugs/substances

When undertaking searches, the School will follow advice from the Department of Education contained within their publication 'Screening, Searching and Confiscation' or successor publications.

School staff can search pupils for drugs or substances with their consent. The member of staff will consider the pupil's age and other factors when determining whether the pupil is capable of giving his/her consent. If a pupil refuses to give their consent to a search, he/she will be asked to say why he/she has refused. The School will be entitled to draw inferences from his or her response and general demeanour and the police may be informed.

In relation to '**DRUGS**' or '**SUBSTANCE**' as defined in the definitions section of this policy, the Head Master, and staff authorised by the Head Master, may search a pupil or a pupil's possessions, without their consent, where they have reasonable grounds for suspecting that a pupil has a prohibited item in their possession. See the School's separate policy on searching and confiscation for full details of the School's searching procedures.

If the School seizes '**DRUGS**' or '**SUBSTANCE**' as defined in the definitions section of this policy the School will deliver it to the police as soon as is reasonably practical. In all other cases, the School may decide to request the involvement of the police from the outset. If the police suspect that a pupil 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 School to investigate.

Suspicion of Misuse

If a member of staff has reason to suspect that a pupil is misusing drugs in (or out of) School, he/she must report the situation through the pupil's House Master / House Mistress or directly to the Director of Pastoral Care, who will decide in consultation with the Deputy Head Master if further investigation is warranted.

Pupils will be asked to undergo a urine test where there is reasonable suspicion of drug abuse. For example:

- i. Behaviour changes;
- ii. Suspected involvement in a drug related incident;
- iii. Physical signs;
- iv. Implication by word of mouth;
- v. Academic performance is significantly below expectation.

There will be no random testing, except as outlined in 'Support' following a positive test result (see below). The relevant consent to a drugs test is that of the pupil rather than the parents, even if the pupil is under 16 years of age, provided he/she is of sufficient maturity and understanding. In these circumstances, parents are not required to give consent for a drugs test but will normally be notified in advance of the test. As timing is of critical importance, however, this is not always possible. Every effort will, however, be made to contact parents in advance of the test.

Drug Testing Procedure

Testing procedures will be in accordance with standard good practice and will be taken under medical supervision. A member of the School staff will also be present.

- a urine test may be demanded of any member of the School at any time by the Head Master or Deputy Head Master
- the test will take place in the Health Centre.
- a member of the medical staff, either Doctor or qualified nurse, will be present at the time of the test.
- the School will undertake to provide the result of the test within three days.
- during the time that elapses between the test and the result, the pupil may be suspended from the School at the discretion of the Head Master or Deputy Head Master.

If a pupil refuses to provide a urine sample, he/she will be asked to say why he/she has refused. The School will be entitled to draw inferences from his/her response and general demeanour and the police may be informed.

Charging for the Test

The School will cover the cost of a first test required, if it is negative, otherwise the fee must be borne by the parents.

Change in the Procedure

It may be necessary to change the testing procedure from time to time. Any changes shall be authorised only by the Head Master and shall come into force on the date designated by him (which may be immediate). The amended procedure will be available in this policy on the School's website.

Results of the Test and action to be taken in the event of a positive drug test or admission of use

Results of the test will normally be communicated to the Director of Pastoral Care or to the Head Master or Deputy Head Master within 24 hours. The results will then be communicated to the pupil, to their parents and House Master / House Mistress as soon as possible after this. Should further tests then be required this fact will be known only to those people.

If a test result is positive, thereby indicating that the pupil has been involved in drug/substance abuse, action will be taken in accordance with the School's policy on Suspension and Expulsion. A meeting will be arranged at which:

- the pupil will be asked to attend a meeting with the Head Master (or, in his absence, the Deputy Head Master) with his/her parents or a member of staff chosen by him/her to assist him/her;
- all relevant evidence, including the positive test result where applicable, will be put to the pupil and he/she will be invited to respond;
- his/her response will be heard and considered and further enquiries will be made if necessary.

When the investigation has been concluded, outside of the meeting if necessary, the Head Master will make a finding of fact based on the evidence and supported by reasons. If the Head Master's decision after considering all the material evidence is that the pupil has abused drugs or substances, the pupil can expect to be expelled. If the Head Master thinks it reasonable to consider particular extenuating circumstances, he may choose to do so and a lesser sanction may be imposed, however, under circumstances where drug or substance use has been detected, the clear expectation must be expulsion from the School.

Support – Drug Testing Programme

If a pupil comes forward and voluntarily identifies himself/herself as a drug user and asks for help, (or if his/her parents or friends ask for help on his/her behalf) we may (depending upon the circumstance) and at the discretion of the Head Master offer him/her the opportunity to reform his/her habit with the support of a drug testing programme and Counselling (at the parents' expense).

In these circumstances of 'Support', drugs testing is organised by the Director of Pastoral Care in conjunction with the School's Health Centre. Full details of arrangements will be sent to any parent or guardian. If a pupil fails his or her first drug test (so confirming usage of a banned drug or substance), he or she will only be allowed to remain at the School on the condition that he or she submits to regular drug testing throughout his or her remaining time at the School, and on the clear understanding that he or she will be expelled immediately on failure of a subsequent drug test, or if there is evidence that a sample has been tampered with in any way.

Confidentiality

- Records of testing will not be used for any other purpose, will not form part of the pupil's permanent medical record and will be destroyed when the pupil concerned leaves the School.
- The School reserves the right to inform the police of possession, consumption or supplying of an illegal drug.

Monitoring

This policy will be reviewed;

- following any serious incident involving pupils and drugs
- following the issue of new guidance from the Department for Education (DfE); and
- in any event, every three years.

The review will be carried out by the Deputy Head Master or the Director of Pastoral Care

Policy written by AFN and reviewed by SLT 20.1.15

Authorised by SLT

Approved by Governors March 2016 (October 2017)

Reviewed by AFN, September 2017