

Drugs, alcohol and other substances policy

1. Statement

The use of drugs, alcohol and other substances can lead to the significant impairment of personal and academic development of young people.

1.1 Aims

This policy aims to ensure that young people get the support they need to make sensible, safe and lawful decisions about drugs, alcohol and other substances. Where inappropriate actions have occurred, this policy aims to clarify the schools response.

1.2 Other policies

This policy should be read in conjunction with the Safeguarding Policy, the Promoting Positive Behaviour Policy and the PSHE Policy.

1.3 Scope

For the purposes of this policy, the term 'school site' refers to both Senior and Lower School campus and also at any site where the pupils are representing the school, including at sport's fixtures, on educational visits etc, whether term time or in the school holidays.

This policy does not cover prescribed medication or medications purchased at a pharmacy, eg Calpol, anti-histamines. **Guidance on medications can be found in the First Aid and Medicines Policy.**

1.4 Safeguarding

The School recognises that use of alcohol, drugs and other substances can be an indicator of safeguarding concerns such as county lines and child sexual exploitation. The School will always seek to understand the context within which a pupil might be using alcohol, drugs or other substances. **Please see the Safeguarding Policy.**

2. Alcohol

Alcohol consumption by young people is widely accepted in society and pupils are often under pressure to drink, sometimes to excess. As a school, we feel strongly that pupils should receive a clear and coherent message about alcohol consumption and that the culture at The Queen's School seeks to promote pupils having a healthy attitude towards alcohol whilst understanding the risks associated with drinking excessively. This is achieved through the PSHE programme. **Please see PSHE Policy and curriculum for more information.**

2.1 The law

The law states that it is against the law;

- To sell alcohol to someone under 18 anywhere.
- For an adult to buy or attempt to buy alcohol on behalf of someone under 18. (Retailers can reserve the right to refuse the sale of alcohol to an adult if they're accompanied by a child and think the alcohol is being bought for the child.)

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- For someone under 18 to buy alcohol, attempt to buy alcohol or to be sold alcohol.
- For someone under 18 to drink alcohol in licensed premises, except where the child is 16 or 17 years old and accompanied by an adult. In this case it is legal for them to drink, but not buy, beer, wine and cider with a table meal.
- For an adult to buy alcohol for someone under 18 for consumption on licensed premises, except as above.
- To give children alcohol if they are under five.

It is not illegal:

- For someone over 18 to buy a child over 16 beer, wine or cider if they are eating a table meal together in licensed premises.
- For a child aged five to 17 to drink alcohol at home or on other private premises.

<https://www.drinkaware.co.uk/alcohol-facts/alcohol-and-the-law/the-law-on-alcohol-and-under-18s/>

2.2 Clarification

For the purposes of clarity and consistency, The Queen's School does not permit any pupil of any age to bring alcohol onto the school site for the purposes of consumption by themselves or another pupil. If a pupil is found to have alcohol in their possession, a member of the Pastoral Team will confiscate the alcohol and contact the pupil's parents. The alcohol will only be returned to the parent. The pupil will be subject to interventions under the Promoting Positive Behaviour Policy for contravention of this policy up to and including exclusion.

It is also unacceptable for a pupil to be under the influence of alcohol when on the school site. Where this is deemed, in the judgement of a member of the Senior Leadership Team, to be the case, parents will be called and the pupil will be supervised until they are collected by the parent. The pupil will be subject to interventions under the Promoting Positive Behaviour Policy for contravention of this policy up to and including exclusion. Further support for pupils who may be experiencing problems with alcohol abuse will be signposted to the parents.

The School does not normally serve alcohol to pupils of any age at school events, nor does it permit the consumption of alcohol by pupils on educational visits. In circumstances where we might want to deviate from this, we will seek parental permission in advance.

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3. Smoking of tobacco and 'vaping'.

The School strongly discourages the smoking of tobacco as it is highly addictive, is seen by many as anti-social and it can kill. As part of the PSHE curriculum, pupils are made aware of the harmful effects of smoking and the damage that it can cause.

3.1 The law

The law states that smoking is prohibited in public transport, indoor public places, and indoor workplaces, including work vehicles.

The law around the sale of tobacco products states that it is illegal:

- for shops to sell tobacco products under the age of 18
- for an adult to buy tobacco products for a person under 18.

<https://www.tobaccocontrol.org/legislation/country/england/summary>

The current long term effects of vaping are unknown and on 1 October 2015 it became illegal for retailers to sell electronic cigarettes (e-cigarettes) or e-liquids to someone under 18.

3.2 Clarification

Smoking of tobacco and 'vaping' are therefore forbidden at any time when pupils, irrespective of their ages, are subject to School discipline, such as while they are travelling to and from School, when they are in School uniform, when they are on School premises, or when they are taking part in official School activities or trips. If a pupil is found to have tobacco products or any of the equipment associated with vaping in their possession, a member of the Pastoral Team will confiscate these and contact the pupil's parents. These articles will only be returned to the parent. The pupil will be subject to interventions under the Promoting Positive Behaviour Policy for contravention of this policy up to and including exclusion. Further support for pupils who may be experiencing problems with tobacco or vaping use will be signposted to the parents.

The Queen's School is a non-smoking site at all times.

4. Drugs and other substances

These expressions refer to the possession, use and supply of controlled drugs and the paraphernalia of drugs or substances intended to resemble drugs, such as "legal highs" or "legal" drugs which can be obtained from a chemist shop, performance enhancing drugs, anabolic steroids, volatile substances, glue and other substances held or supplied, in each case, for the purposes of misuse.

Young people are becoming increasingly aware of, and in some cases using, new psychoactive substances (NPS). These are designed to mimic the effect of illegal drugs but are structurally different enough to avoid being classified as illegal substances under the Misuse of Drugs Act.

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Despite being labelled as legal these substances are not always safe to use and often contain controlled drugs making them illegal to possess. New psychoactive substances are included in the school drug policy as unauthorised substances and treated as such. If there is uncertainty about what the substance is, it should and is to be treated as a controlled drug.

The central aim of this policy is to keep drugs out of The Queen's School. We aim to do so by means of education, pastoral care, detection of users and a sanctions' policy. We educate pupils to understand that the use of drugs and other substances 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. The understanding of the rule of law is of vital significance here.

4.1 Clarification

The Queen's School does not tolerate the use of drugs and other substances. The Queen's School does not permit any pupil to bring drugs, or other substances of this nature, or any drug paraphernalia onto the school site for the purposes of consumption by themselves or another pupil or to be passed on to someone else. If a pupil is found to have any items such as in their possession, a member of the Pastoral Team will confiscate them and contact the pupil's parents. See procedure below for the health and safety aspects of this. The pupil will be subject to interventions under the Promoting Positive Behaviour Policy for contravention of this policy up to and including exclusion. There are complex laws around the possession and supply of drugs and psychoactive substances and so pupils should expect that the police will be involved if, on the balance of probabilities, it is suspected that they have been involved in the use of such substances. It is also unacceptable for a pupil to be under the influence of drugs or other substances when on the school site. Where this is deemed, in the judgement of a member of the Senior Leadership Team to be the case, parents will be called and the pupil will be supervised until they are collected by the parent. The pupils' welfare is paramount and therefore, where necessary, medical assistance may be sought. The pupil will be subject to interventions under the Promoting Positive Behaviour Policy for contravention of this policy up to and including exclusion. The school reserves the right to request a drugs test if there is reason to suspect that any student is using or has used a classified drug.

Further support for pupils who may be experiencing problems with drugs or substance abuse will be signposted to the parents.

<https://www.gov.uk/government/publications/drugs-advice-for-schools>

Schools' general power to discipline, as set out in Section 91 of the Education and Inspections Act 2006, enables a member of staff to confiscate, retain or dispose of a pupil's property as a disciplinary penalty, where reasonable to do so.

Where the person finds other substances which are not believed to be controlled drugs these can be confiscated where a teacher believes them to be harmful or detrimental to good order and

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discipline. This would include new psychoactive substances or 'legal highs'. If school staff are unable to identify the legal status of a drug, it should be treated as a controlled drug.

5. Screening, searching and confiscation

<https://www.gov.uk/government/publications/searching-screening-and-confiscation>

Updated September 2022

5.1 Searching

Searching can play a critical role in ensuring that schools are safe environments for all pupils and staff. It is a vital measure to safeguard and promote staff and pupil welfare, and to maintain high standards of behaviour through which pupils can learn and thrive. Being in possession of a prohibited item – especially knives, weapons, illegal drugs or stolen items – may mean that the pupil is involved, or at risk of being involved, in anti social or criminal behaviour including gang involvement, and in some cases may be involved in child criminal exploitation. A search may play a vital role in identifying pupils who may benefit from early help or a referral to the local authority children's social care services.

When exercising this power, the schools will consider the age and needs of pupils being searched or screened. This includes the individual needs or learning difficulties of pupils with Special Educational Needs (SEN) and making reasonable adjustments that may be required where a pupil has a disability.

Headteachers and staff they authorise have a statutory power to search a pupil or their possessions where they have reasonable grounds to suspect that the pupil may have a prohibited item listed in the government guidance and any other item that the school rules identify as an item which may be searched for.

The list of prohibited items is:

- knives and weapons;
- alcohol;
- illegal drugs and legal highs
- stolen items;
- any article that the member of staff reasonably suspects has been, or is likely to be used to commit an offence, or to cause personal injury to, or damage to property of; any person (including the pupil).
- tobacco and cigarette papers;
- fireworks;
- pornographic images.

5.2 Consenting to a search

Under common law, school staff have the power to search a pupil for any item if the pupil agrees. Before any search takes place, the member of staff conducting the search should explain to the pupil why they are being searched, how and where the search is going to take place and give them the opportunity to ask any questions.

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The authorised member of staff should always seek the co-operation of the pupil before conducting a search. If the pupil is not willing to co-operate with the search, the member of staff should consider why this is. Reasons might include that they:

- are in possession of a prohibited item;
- do not understand the instruction;
- are unaware of what a search may involve; or
- have had a previous distressing experience of being searched.

If a pupil continues to refuse to co-operate, the member of staff may sanction the pupil in line with the school's behaviour policy, ensuring that they are responding to misbehaviour consistently and fairly. The guidance gives school's the right to use reasonable force if a pupil does not consent to a search, however, the School would not use such powers unless there was deemed to be an imminent threat to safety.

5.3 Who can search?

Under the regulations, the Headteacher must authorise who can search. At The Queen's School, only the Headmistress or, in her absence, the Deputy Head can conduct a without consent search. If the event that the Deputy Head is not available, for example, if the search needs to be conducted on a school trip, the Headmistress or Deputy Head can give permission for another member of staff to complete the search. With consent searches can be conducted by a member of the Senior Leadership Team and the Heads of Key Stages.

The designated safeguarding lead (or deputy) should be informed of any searching incidents where the member of staff had reasonable grounds to suspect a pupil was in possession of a prohibited item as listed above. The staff member should also involve the designated safeguarding lead (or deputy) without delay if they believe that a search has revealed a safeguarding risk. If the designated safeguarding lead (or deputy) finds evidence that any child is at risk of harm, they should make a referral to children's social care services immediately.

The law states the member of staff conducting the search must be of the same sex as the pupil being searched. There must be another member of staff present as a witness to the search. There is a limited exception to this rule. This is that a member of staff can search a pupil of the opposite sex and/or without a witness present only:

- if the member of staff carrying out the search reasonably believes there is risk that serious harm will be caused to a person if the search is not carried out as a matter of urgency; and
- in the time available, it is not reasonably practicable for the search to be carried out by a member of staff who is same sex as the pupil or it is not reasonably practicable for the search to be carried out in the presence of another member of staff.

5.4 Extent of the search – clothes, possessions, desks and lockers

What the law says:

A member of staff may search a pupil's outer clothing, pockets, possessions, desks or lockers.

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The person conducting the search must not require the pupil to remove any clothing other than outer clothing. 'Outer clothing' means any item of clothing that is not worn wholly next to the skin or immediately over a garment that is being worn as underwear, as well as hats, shoes, boots or scarves.

'Possessions' means any goods over which the pupil has or appears to have control - this includes desks, lockers and bags. A member of staff is able to search lockers and desks or other personal spaces at the school for any item provided the pupil agrees. If the pupil withdraws their agreement to search, a search may be conducted for the prohibited items listed above. A pupil's possessions can only be searched in the presence of the pupil and another member of staff, except where there is a risk that serious harm will be caused to a person if the search is not conducted immediately and where it is not reasonably practicable to summon another member of staff.

The member of staff may use a metal detector to assist with the search.

The member of staff's power to search outlined above does not enable them to conduct a strip search.

5.5 Strip searching

No member of staff will ever conduct a strip search for a concealed item. We will follow government guidance on strip searches;

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1091132/Searching_Screening_and_Confiscation_guidance_July_2022.pdf

5.6 Confiscation

An authorised staff member carrying out a search can confiscate any item that they have reasonable grounds for suspecting:

- poses a risk to staff or pupils;
- is prohibited, or identified in the school rules for which a search can be made or
- is evidence in relation to an offence.

The guidance gives extensive information on how confiscated items should be dealt with and will be consulted in determining what action the School will take regarding any confiscated items.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1091132/Searching_Screening_and_Confiscation_guidance_July_2022.pdf

5.7 Recording the search

Any search by a member of staff for a prohibited item listed above and all searches conducted by police officers should be recorded in the school's safeguarding reporting system, including

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whether or not an item is found. This will allow the designated safeguarding lead (or deputy) to identify possible risks and initiate a safeguarding response if required. The school will record;

- the date, time and location of the search;
- which pupil was searched;
- who conducted the search and any other adults or pupils present;
- what was being searched for;
- the reason for searching;
- what items, if any, were found; and
- what follow-up action was taken as a consequence of the search.

6. Telling parents and dealing with complaints

Schools are not required to inform parents before a search takes place or to seek their consent to search their child.

Parents should always be informed of any search for a prohibited item listed above that has taken place, and the outcome of the search as soon as is practicable. A member of staff should inform the parents of what, if anything, has been confiscated and the resulting action the school has taken, including any sanctions applied.

Complaints about searching will be dealt with through the normal school complaints procedure.

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Appendix A Useful sources of support

Addaction is one of the UK's largest specialist drug and alcohol treatment charities. As well as adult services, they provide services specifically tailored to the needs of young people and their parents. The Skills for Life project supports young people with drug misusing parents.

Website: www.addaction.org.uk

ADFAM offers information to families of drug and alcohol users, and the website has a database of local family support services.

Tel: 020 7553 7640

Email: admin@adfam.org.uk

Website: www.adfam.org.uk

Alcohol Concern works to reduce the incidence and costs of alcohol-related harm and to increase the range and quality of services available to people with alcohol-related problems

Tel: 020 7264 0510.

Email: contact@alcoholconcern.org.uk

Website: www.alcoholconcern.org.uk

ASH (Action on Smoking and Health) A campaigning public health charity aiming to reduce the health problems caused by tobacco.

Tel: 020 7739 5902

Email: enquiries@ash.org.uk

Website: www.ash.org.uk

Drinkaware - An independent charity that promotes responsible drinking through innovative ways to challenge the national drinking culture, helping reduce alcohol misuse and minimise alcohol related harm.

Tel: 020 7307 7450

Website: www.drinkaware.co.uk/

Drinkline - A free and confidential helpline for anyone who is concerned about their own or someone else's drinking.

Tel: 0800 917 8282 (lines are open 24 hours a day)

FRANK is the national drugs awareness campaign aiming to raise awareness amongst young people of the risks of illegal drugs, and to provide information and advice. It also provides support to parents/carers, helping to give them the skills and confidence to communicate with their children about drugs.

24 Hour Helpline: 0800 776600

Email: frank@talktofrank.com

Website: www.talktofrank.com



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Re-Solv (Society for the Prevention of Solvent and Volatile Substance Abuse)

A national charity providing information for teachers, other professionals, parents and young people.

Tel: 01785 817885 Information line: 01785 810762

Email: information@re-solv.org

Website: www.re-solv.org

Smokefree - NHS Smoking

Helpline: 0800 169 0 169

Website: <http://smokefree.nhs.uk>