



The Attic Dealing with Drug Related Incidents Policy

Date of policy	June 2017
Date presented to Management Committee	July 2017
Date ratified by Management Committee	July 2017
Date for review	July 2018

Terminology

For the purposes of this policy the following definitions apply:

- **Drug:** Any psychotropic substance: all legal drugs (including alcohol and tobacco), all illegal drugs, volatile substances, and over-the counter and prescription medicines.
- **Drug use:** Drug taking through which harm may occur, whether through intoxication, breach of school rules or the law, or the possibility of future health problems, although such harm may not be immediately perceptible.
- **Drug-related incident:** Evidence or suspicion of a specific event at school involving one or more unauthorised drugs, and requiring immediate action by school staff. (Examples include: pupil drinking alcohol at school; pupil discovered bringing slimming tablets secretly to school; pupil found intoxicated at school; named student reported having sold drugs to friend at school; student taking a drug within or outside school hours).

(Definitions used in the document published by the Standing Conference on Drug Abuse – Managing and Making Policy for Drug-related Incidents in Schools – the Right Responses, 1999)

Legal Context

- Teachers are often described as being in loco parentis. This pre-Children Act 1989 concept is not clearly defined in Law but is usually interpreted as giving teachers the delegated authority to act as a wise, responsible and careful parent would.
- In dealing with drug-related incidents a school has a duty of care to the “whole school body”. This includes students, employees and members of the public with a legitimate right to be on the school premises.
- Under the Misuse of Drugs Act 1971, it is an offence to allow premises for which you are responsible to be used for smoking cannabis or opium, or the production or supply of controlled drugs.

Responsible Person

All drug/ Alcohol related incidents should be reported the Head teacher, Deputy Head teacher or Assistant Head teacher. No member of staff should act in isolation.

Disclosure

If a student makes a disclosure that s/he has been using drugs or misusing substances, confidentiality must never be promised. All disclosures should be reported to the Designated Safeguarding or Alternate Safeguarding Lead who will decide what action is required in line with Safeguarding Policy. Disclosure can indicate a need for help and young person will be directed to appropriate help which could include another agency.

Suspicious

All staff are kept up to date with possible indicators of possible drug use/possession/supply through training courses and staff briefings/discussion. All suspicions should be reported to the Designated Safeguarding or Alternate Safeguarding Lead who will consider appropriate action – usually after further discussion with other staff who may also have information. It is important that no accusations are made that cannot be substantiated.

Intoxication

If a student's unusual, irrational or inappropriate behaviour gives staff a strong suspicion that s/he is under the influence of an unauthorised/illegal substance parents/carers will be contacted and arrangements will be made for the young person to leave the premises and return home on the basis that they appear too unwell to remain at Attic. In such cases accusations that cannot be substantiated must not be made, but this must be balanced with parents/carers being in a position to assess possible health risks and take action accordingly.

Discovery of illegal substance

The discovery of an illegal substance should be reported immediately to the Designated Safeguarding or Alternate Safeguarding Lead who will take action as appropriate. See Appendix 1.

Possession

Students found to be in possession of an illegal drug on the Attic premises or whilst engaged in an Attic activity will be asked to leave Attic as soon as arrangements have been made for their ongoing safety. The student will be unable to return to Attic until a meeting has been arranged. This meeting will be set up as soon as possible and will involve the young person, parents/carers and any other professionals involved. The aim of the meeting will be to discuss moving forward for Attic provision. The police may be informed. (see Appendix 1).

In cases of suspected suspicion – see 'Searches Appendix 2'.

Supplying illegal substances

As is reflected in penalties in law the supply of an illegal substance on Attic premises is treated with the upmost severity and young person the young person will be asked to leave as soon as arrangements have been made for their ongoing safety and a meeting set up involving parents/carers and other involved professionals as appropriate. Involvement of Police is the likely outcome.

Unauthorised Drugs

Students found to be in possession of an unauthorised drug (e.g. alcohol) on Attic premises or whilst engaged in an Attic activity will be asked to leave Attic immediately and will be unable to return until a meeting has been set up involving parents/carers and other involved professionals

as appropriate. Such matters should be reported to the Designated Safeguarding or Alternate Safeguarding Lead.

Involvement of the Police

- To collect and action as agreed local protocols.
- The Law does not require a school to divulge to the police the name of the pupil from whom the drugs were taken. Where a pupil is identified the police will be required to follow set internal procedures.
- (With reference to SCC Guidance – 2009)
 - When the police have been involved there will need to be a clear joint agreement about the future role of Attic in the investigation and police officers should advise accordingly. Where the Police and Attic agree to follow separate paths of action it is important that there is feedback to the other party on the outcomes of this. This is particularly important when those outcomes could affect the ability of teachers or police officers to carry out their respective duties effectively.
 - Normally Attic will want to involve the parents/carers of pupils at an early stage but in some cases that might not be possible or appropriate.
 - Where parents/carers have not already been informed before police involvement, Attic and the police must make a decision as to the most appropriate way to do so as a matter of urgency.
 - The police and Attic should seek to share relevant information relating to young people in an atmosphere of trust and co-operation. While it is acknowledged that such information will, on occasions, be sensitive and possibly 'anecdotal', it is vital it is shared at the earliest opportunity in order that an appropriate joint strategy can be agreed. The police recognise that formal action might not be necessary or appropriate on every occasion.

Safeguarding

If any staff feel that a pupil is 'at risk' under any of the categories within the Safeguarding Policy the Designated Safeguarding or Alternate Safeguarding Lead must be informed and the appropriate procedure followed. In these circumstances it is possible that Social Care will involve the police, if Attic has not already taken such action.

Drug and Alcohol related incidents involving people other than pupils

If a member of staff becomes aware, or suspects, that an individual other than a pupil may have taken, be under the influence or somehow involved in substance misuse, then again the Designated Safeguarding or Alternate Safeguarding Lead must be informed and will take action as appropriate. Clearly every incident should be judged on its own merits and where immediate assistance is required Attic should dial 999 and ask for the police.

Recording Incidents

- **Specific incidents will be recorded on Behaviourwatch by staff through the significant incident or safeguarding tab.**

First Aid

Attic has a First Aid Policy and will undertake any necessary first aid in line with this.

Relationship to other School Policies

- **Safeguarding Policy**
- **Health and Safety Policy**
- **First Aid Policy**
- **Behaviour Policy**

APPENDIX 1 – DFES – Drugs: Guidance for Schools 2004

4.7 Taking temporary possession of and disposal of suspected illegal drugs

Many areas already have agreed protocols with local police and schools on the collection and disposal of suspected illegal drugs, and schools should follow these.

The law permits school staff to take temporary possession of a substance suspected of being an illegal drug for the purposes of preventing an offence from being committed or continued in relation to that drug providing that all reasonable steps are taken to destroy the drug or deliver it to a person lawfully entitled to take custody of it. In taking temporary possession and disposing of suspected illegal drugs schools are advised to:

- 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. Some police forces provide schools with drug bags for this purpose
- store it in a secure location, such as the school safe or other lockable container 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 a school to divulge to the police the name of the pupil from whom the drugs were taken. Where a pupil is identified the police will be required to follow set internal procedures
- record full details of the incident, including the police incident reference number (see section 5.7)
- inform parents/carers, unless this would jeopardise the safety of the pupil.

Attic staff should not attempt to analyse or taste unknown substances. Police can advise on analysis and formal identification, although this is normally carried out only if it will be required as evidence within a prosecution.

If formal action is to be taken against a pupil, the police should make arrangements for them to attend a local police station accompanied by an appropriate adult for interview. Only in exceptional circumstances should arrest or interviews take place at school. An appropriate adult should always be present during interviews, preferably a parent/carer or duty social worker.

APPENDIX 2 –

Searches

School staff may now carry out search and confiscation of suspected illegal substances or substances suspected of causing harm to students , . See Dof E guidance Sept 2012.

However, the whole circumstances and possible risks to other students/staff/building must be considered and it may be safer to try to persuade a student to hand over a suspected illegal substance or involve parents, other involved professionals or the Police . Schools may not detain a person without their consent unless a citizen’s arrest is made. Police officers may undertake personal searches on school premises or detain those suspected for the purpose of doing so, under the Misuse of Drugs Act 1971.

School property (eg. Lockers or desks) may be searched by school staff, within national and school guidelines. Schools will need to balance the likelihood that an offence has been committed against the risk of infringing the individual’s privacy without just cause.