

Drugs, Alcohol and Substance Misuse Policy

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1. Introduction

- 1.1. Chichester College Group (hereafter referred to as the Group) aims to provide students with the knowledge, attitudes and skills to be able to make an informed decision about drugs, alcohol and substances through a combination of education and prevention.
- 1.2. The Group acknowledges that a positive ethos helps students to feel valued and part of the Group community. In so doing, it helps to foster positive self-images, which may help students to cope better in situations involving drugs, alcohol and/or substance use.
- 1.3. The Group is committed to the welfare, health and safety of its students and will take action to safeguard their well-being. It also recognises, however, that people may take risks from time to time, and that for some, misusing drugs, alcohol and substances is one of these risks. The Group condones neither the misuse of drugs, alcohol and substances by any member of the student or staff body, nor the illegal supply of these substances on Group premises or work placements.
- 1.4. The Group is committed to an equality of opportunity that is intended to be an integral part of College life. The aim is to create an environment in which people treat each other with mutual respect regardless of age, race, colour, gender, marital status, disability, religion or sexual orientation.

2. Scope of this policy

- 2.1. This procedure applies to all students.

3. Overview and Policy details

- 3.1. Occasionally, issues occur with respect to students and their drug, alcohol and/or substance use, away from the Group, resulting in problems when on site or on Group organised activities off site. The Drugs, Alcohol and Substance Misuse Policy is necessary to enable staff to know how to respond and to clarify to students what the Group's position is and what action(s) may be taken. Drug issues have the added dimension as there are consequences regarding the law, which can make them more complicated to deal with.

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- 3.2. The Group expressly forbids any user of its premises to possess, supply, manufacture or distribute any illegal drugs as defined by the Misuse of Drugs Act 1971 (classes A, B and C). This applies to:
- Class A Heroin, methadone, cocaine (including crack) LSD, ecstasy (MDMA), magic mushrooms, Crystal Meth or Amphetamine (a Class B drug if injected)
 - Class B Amphetamines (speed), Ketamine, barbiturates, codeine, cannabis (herbal, resin or oil) and would also cover some Synthetic Cannabis, such as Spice
 - Class C Any prescription drug a person has in their possession if not authorised to have; this includes, but is not limited to drugs such as Valium, Xanax (zanies)
- 3.3. The Group is committed to reducing the use of drugs, alcohol and/or substances on site or on Group organised activities. The Group does not endorse the use of these substances and expressly forbids possession of items that could be classified as drug related paraphernalia such as grinders, crackers, bongs etc.
- 3.4. This Policy is intended to ensure the Group is consistent in the way it tackles instances of drug, alcohol and/or substance misuse on its premises both in terms of its legal obligations and in the manner in which the individuals concerned are dealt with.
- 3.5. It is important each student is dealt with individually in a consistent and fair manner, which is independent of any prejudices which may exist, while not forgetting the seriousness and possible illegality of the student's behaviour.
- 3.6. In the first instance, any drug, alcohol and/or substance related incidents will be treated as a Group disciplinary matter and will involve the College Community Safety Officer (CCSO) and/or the relevant Group managers. The Police may be involved depending upon circumstances. The Misuse of Drugs Act 1971 makes it an offence to possess or supply certain drugs and it allows individuals to take possession of an illegal drug, in order to prevent someone else committing an offence, providing they hand it to a member of the Safeguarding team/Senior Manager.

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3.7. The Psychoactive Substances Act came into force on 26th May 2016. The Act makes it an offence to produce, supply, offer to supply, possess with intent to supply any substance intended for human consumption that is capable of producing a psychoactive effect. Psychoactive substances include:

- Synthetic cannabis spice
- Nitrous Oxide
- Poppers
- CBD infused products

3.8. This Policy does not cover drugs being used for the treatment of medical conditions, e.g. common cold, headaches and infections.

3.9. In any case where the drug, alcohol and/or substance user or supplier is an employee of the Group, the matter will be covered by the Group's employment policies and procedures - under gross misconduct.

4. Education, Intervention and referral for treatment

4.1. Education: Promotion events around drug, alcohol and substance are held to raise awareness.

4.2. Intervention and Referral: It is recognised the misuse of drugs, alcohol and/or substances can have an impact on a student's academic work, mental health and/or physical well-being. In some cases, the impact of this misuse can cause concern to other students and staff. In these situations the Group ensures support and guidance are available for all.

4.3. Students, who have concerns about their own substance use or that of a friend, may seek support from their Student Tutor, Counselling team, a member of the Welfare/Safeguarding team or the external Substance Misuse Services; all will be able to offer advice and support.

Staff who have concerns about a student's substance use may seek advice from the Student Tutor, Counselling team, a member of the Welfare/Safeguarding team or external Substance Misuse Services. Where necessary, a case conference

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can be arranged to discuss issues and concerns and, wherever possible, the student involved will be invited to attend and contribute to the discussion. With the student's consent, parents/guardians may also be asked to attend. The purpose of the case conference is to facilitate an honest and frank discussion of the concerns and enable both the student and staff to have a better understanding of the situation.

5. Disruptive or dangerous behaviour:

- 5.1 The use of drugs, alcohol and/or substances affects an individual's perceptions and behaviours in various ways.
- 5.2 The CCSO, Duty Safeguarding Officer or Duty Manager must be contacted if a student attends the Group under the influence of drugs, alcohol and/or substances. They will endeavour to ascertain, from the student, an appropriate place for them to go off site. If required, a taxi may be called. In the case of a student being under 18, the parents/guardians must be contacted and asked to collect the student. If the student stays in Group accommodation, the appropriate Accommodation team member and Duty Safeguarding Officer will need to be notified. They will take appropriate action to ensure the safety of the student. Depending on the seriousness of the incident the Police may be called.
- 5.3 The Group's Student Referral Procedure will be put into action at an appropriate time with the student involved and relevant staff members.

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5.4 If staff find any students with either an illegal substance, alcohol and/or drug paraphernalia on their person, in accordance to the '*Misuse of Drugs Act 1971*', the following needs to take place:

5.4.1 Call either the CCSO, Duty Safeguarding Officer or Duty Manager who will:

- ask the student to voluntarily hand over the item(s), which will be confiscated and the '*confiscation of items form*' completed. The item(s) must be handed over to the attending member of staff who will then place the item(s) in a designated secure area and report to the Police if appropriate
- If the student refuses to hand over the item after a second request is made, they will be advised of the seriousness of the incident and that the Police will be informed. If refusal still happens, as many details as possible must be taken
- The Group's Student Referral Procedure will be put into action

6. College Accommodation

6.1. Signed prior to occupancy, contracts and terms and conditions covering all Group accommodation make it clear that if any illegal substances, as described in point 3.2 of this Policy, are found on the premises, or if students are suspected of being in possession of related paraphernalia, or under the influence of illegal/psychoactive substances, as described in 3.7 of this Policy, 5.4 of this Policy will be invoked (weekends and after 6pm, the Duty Supervisor will be responsible for confiscating any items and safeguarding them until handing over to the CCSO); termination of the residency agreement may take place. This relates to all students regardless of age. The Police will be called if appropriate.

6.2. Residents, over 18, in any Group accommodation, on or off the Group's premises, are permitted to have alcohol in their possession.

- 6.3. Host families should contact the appropriate member of the Accommodation team if it is felt a student, under 18, has alcohol and/or illegal substances, as described in point 3.2 of this Policy, psychoactive substances, as described in point 3.7 of this Policy, or related paraphernalia on their person or in their room. The Accommodation team will then follow the procedures under 5.4 of this Policy. The Police will be called if appropriate.
- 6.4. Host families should contact the appropriate member of the Accommodation team if it is felt a student, over 18, has illegal substances as described in point 3.2 of this Policy, psychoactive substances, as described in 3.7 of this Policy, or related paraphernalia on their person or in their room. The Accommodation team will then follow the procedures under 5.4 of this Policy. The Police will be called if appropriate.
- 6.5. Hall Supervisors have the authority to conduct a room search, which is in line with Section 85AA of the Further and Higher Education Act 1992.

7. Consequences

- 7.1 Following a breach or suspected breach, on reasonable grounds, of the duties incumbent on a member under the provision of either the Misuse of Drugs Act (1971) or Health and Safety at Work Act (1974) the following procedure will apply:
- Invoking Stage 4 of the Student Referral Process
 - Possible exclusion until the Stage 4 meeting
 - Police may be informed
- 7.2 Following the Stage 4 meeting, one or more of the following actions will be taken:
- Set targets to remain in College
 - Support from Achievement Champion
 - Referral to the Counselling or Welfare teams
 - Referral to appropriate external agency
 - Stage 4 review
 - Possible exclusion

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8. Status of this policy

- 8.1. This policy has been approved by the Group Leadership Team.
- 8.2. This Policy has been impact assessed to ensure that it does not adversely affect staff or students on the grounds of their disability, gender or race.
- 8.3. The operation of this Policy will be kept under review by the Executive Principal. It may be reviewed and varied from time to time by the Safeguarding and Prevent Board and approved by the Group Leadership

Date Approved: November 2018
Approved by: Group Leadership Team
Implementation Date: November 2018
Date for Review: November 2019

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Annex A:

Misuse of Drugs Act 1971/ Health & Safety Regulations/Police involvement

- 1 Under the Misuse of Drugs Act (1971) it is an offence:
 - (a) for a person to possess, use, supply or produce controlled drugs* without authorisation
 - (b) for an employer to allow controlled drugs* to be possessed, used, supplied or produced on its premises without authorisation

*Examples:

- Class A Heroin, methadone, cocaine (including crack) LSD, ecstasy (MDMA), magic mushrooms, Crystal Meth or Amphetamine (a Class B drug if injected)
 - Class B Amphetamines (speed), Ketamine, barbiturates, codeine, cannabis (herbal, resin or oil) and would also cover some Synthetic Cannabis) such as Spice
 - Class C Any prescription drug a person has in their possession if not authorised to have; this includes, but is not limited to, drugs such as Valium, Xanax (zanies)
- 1.2 Authorisation includes the case where a doctor prescribes a drug for treatment of a medical condition.
 - 1.3 Substance misuse is interpreted to include alcohol misuse that leads to a change in behaviour or performance.
 - 1.4 Chichester College Group (hereafter referred to as the Group) believes that in addition to its legal duty of control, it has responsibility for the education and care of its staff and students in respect of drug and/or substance use and/or misuse.

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1.5 Section 2 of the Health and Safety at Work Act (1974) requires the Group to ensure, as far as is reasonably practicable, the health, safety and welfare of all its staff and students. Section 7 of the Act requires that members of the Group take reasonable care of the health and safety of themselves and others who may be affected by their acts or omissions.

1.6 Group premises include off-main campus premises deemed to be under the Group's jurisdiction.

1.7 The Police

- The Group does not have a legal duty to inform the police, the legal duty being to prevent the possession, consumption, supply or manufacture of controlled drugs (or concerned in any of these activities) without authorisation from continuing on its premises. However, it is an offence, against section 326 of the Crimes Act 1958, if a person accepts a benefit for not disclosing information about a serious crime
- The Group does have the option to inform the Police and give consent for them to enter the Group's campuses and any building to search for evidence
- The police can legally enter and search without consent in certain situations including:
 - (a) to execute a warrant
 - (b) to effect an arrest, which can follow possession or supply of controlled drugs offences
 - (c) to search following an arrest
 - (d) to prevent a breach of the peace