

# Illegal drugs at CCSS: points of law, guidance and our policy on testing students

## What staff, students and parents should know.

### Why we have a policy

Our values state that CCSS is committed to safeguarding and promoting the welfare of students. In line with these values we take a realistic and proactive approach to the education of students about the use of illegal drugs. At the same time, we take seriously our responsibilities towards the wider community, its laws, guidance and regulations.

Use of illegal drugs is not compatible with academic work, is anti-social, damaging to long-term health and sometimes life-threatening. It is often associated with illegal behaviour and can place students in danger through contact with criminals. It is also not sustainable as a way of dealing properly with everyday life and can be habit-forming. While the health and safety of our students is our primary concern, we are aware of the impact that drug taking can have on our reputation with parents and others in the wider community. We also have specific legal obligations that we must uphold as a recognised and accredited college.

Equipping students with the skills needed to succeed in a world where illegal drugs are readily available is part of our aim to enable all our students achieve their full potential.

As such, the following guidance outlines what parents, students and staff need to know about the use of illegal drugs as well as our policy on drugs testing and searches relating to illegal drugs. While we recognise that the use of illegal drugs cannot be seen in isolation from other issues such as smoking and alcohol consumption, this policy deals with the use of illegal drugs as defined by UK law. It should be read in conjunction with the following CCSS policies:

- Behaviour Policy; Exclusions Policy; Smoking and Alcohol Policy;
- Administration of Medicines Policy; Health and Safety Policy; Confidentiality Policy;
- Personal, Social, and Health Education (PSHE) Policy.

### Ownership

This is a Trustees' policy, which takes into account the Trustees' legal responsibilities as employers and occupants of the college premises, and the guidance in the DfES "Drugs: Guidance for Colleges" and "10/95 Protection of Children: the Role of the Education Service", as well as guidance in the DfES' "Improving Behaviour and Attendance: Guidance on Exclusions from Schools and Student Referral Units 2003".

The Trustees are committed to ensuring that CCSS is a healthy college, free from the misuse of drugs and other substances. Illegal drugs should never be in college. Legal drugs are only allowed when they are medicines agreed by the Principal for use in college under the Administration of Medicines policy. A copy of this policy is given to all staff, students and parents via the appropriate handbooks. Parents or other legal signees are deemed to have accepted and understood the implications of this policy by signing the terms and conditions document attached to the registration form.

While the policy addresses the use of illegal drugs by students, it should be assumed that the main provisions also apply to any adult who works on or enters our premises, in exercising our duty to protect the students in our care.

### Purpose of the policy

The policy aims to make clear the college's approach to the problem of illegal drug use. It sets out the procedures that should be followed in responding to drug-related incidents.

### Defining drug misuse and common illegal drugs

Drug misuse is defined 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. Details on recognising illegal drugs can be seen on the TalktoFrank website at [www.talktofrank.com](http://www.talktofrank.com)

### The law

The Misuse of Drugs Act 1971 makes it an offence:

- to supply or offer to supply controlled drugs or drug paraphernalia;

- to be in possession of controlled drugs or to possess with an intent to supply to another a controlled drug; and
- for the occupier or someone concerned in the management of premises to knowingly permit on those premises the smoking of cannabis, or the production, attempted production, supply or attempted supply or offering to supply any controlled drug.

The recent reclassification of cannabis, the most widely used illegal drug in the UK, from class B to class C has caused some confusion among young people. The police will arrest anyone under the age of 18 who is in possession and the penalty for dealing is up to 14 years in prison.

## **Policy Responsibilities**

### **The Principal**

The Principal has overall responsibility for the implementation of the policy, for liaison with trustees and parents, and external agencies as appropriate, and for the training and support of staff. The Principal must ensure that all students are aware of the policy and its implications. The Principal is responsible for liaison with the media and outside agencies (though this may be delegated to another senior member of staff).

### **The Vice-Principal (Pastoral)**

The Vice-Principal (Pastoral) has responsibility for monitoring, evaluating and reviewing this policy and its impact on parents and students with SEN, disabilities and/or EAL needs. The VP also ensures that understanding of the policy is promoted in staff and student induction sessions and training, as well as the relevant handbooks for parents, students and staff.

### **All Staff**

All members of staff must know the college's policy relating to illegal drugs and seek to obtain the relevant skills and knowledge to support the policy. The Principal will ensure through the DSC that staff (teaching and support staff) will receive appropriate training in drug education and the handling of incidents that they might come across.

### **The Student Council**

In line with the values of CCSS, the Student Council has a role in determining rules and the consequences of breaking them, promoting a greater understanding of the college's expectations and helping the college to understand and react appropriately to the impact of the policy on the student body.

### **Drugs Education**

The Principal will ensure that there is a planned drugs education programme as part of the PSHE programme. The programme must inform students about drugs and their effects, promote a positive attitude towards a healthy lifestyle, increase students' understanding of the health and social implications of the use and misuse of drugs, inform students about courses of action open to them if they or people they know become, or might become, involved in drugs activity; and inform students about support and resources available in college and outside college. The detailed programme will be co-ordinated by the Vice Principal (PSHE) in consultation with the Principal and relevant staff.

### **Action to be taken In Incidents Involving Misuse of Drugs**

It is vitally important that staff, students and parents should be clear about the action that will be taken in any illegal drug-related incident.

### **Procedures**

1. Staff should ensure that all cases of misuse of drugs, or suspected misuse, are reported to the Principal or member of the Senior Leadership Team without undue delay. In the case of boarding students, this will usually be via the Senior House Manager. Normally, this will involve an immediate referral. If present, the suspected student should not be sent away, but should await the arrival of the senior colleague. A referral should be made even when there is doubt or lack of physical evidence, such as in cases of suspicion (see 5, below).
2. Staff must give the utmost priority to the safety of students, meeting any emergency medical emergencies with first aid and through summoning help before addressing further issues.
3. Students involved in any illegal drugs incidents should not be questioned without the presence of another responsible adult. This policy outlines the procedures that should be followed where searches are deemed appropriate.
4. Staff must record in writing any incident involving suspicion of use of illegal drugs and lodge this with the Principal.

5. Staff should act (but not exclusively so) in accordance with this policy when drugs or associated paraphernalia are found on college premises, when a student demonstrates through actions or behaviour an inappropriate level of knowledge of drugs, when a student is found in possession of drugs or associated paraphernalia, when a student is found to be supplying drugs on college premises, when a student is thought to be under the influence of drugs, when a staff member is aware of specific instances of the illegitimate sale or supply of drugs in the local area, and when a student discloses that they and/or another student is misusing drugs. In all cases of doubt, advice must immediately be sought from a senior colleague. **It is not acceptable to do nothing when staff become aware of suspicions of drug use or actual use.**
6. The CCSS confidentiality policy should be adhered to in any drugs incident. Staff must not promise confidentiality to any student or colleague and the boundaries of confidentiality should be made clear to students. Every effort should be made to secure the student's agreement to the way in which the college intends to use any sensitive information.
7. In all instances involving substance misuse or supply on the college's premises, parents or guardians will be informed, and their co-operation sought. The Principal must give his permission before any contact is made, though this may be delegated to another appropriate person.
8. The college will consider each drug incident separately and consider the appropriate response, bearing in mind the circumstances of the case, and the need to balance the interests of the student, other members of the college and the wider community.

### **Support for Students**

Among those using drugs will be some who are already experiencing difficulties. They may not be ready to acknowledge this yet, to themselves or others. For them, their need to understand hazards and the means of reducing them are shared with a need for support to address any serious personal problems. CCSS aims to support actively any student who wishes to receive help in the area of illegal drug use and will proactively seek to support those who it identifies as belonging to an at-risk group.

CCSS is in contact with the the Cambridge Drug Action Team who are able to provide details of:

- local priority and strategies for addressing drug-related needs
- the Young People's Substance Misuse Plan
- local groups and agencies in statutory and voluntary sectors tasked with supporting young people with drug-related needs.

### **Responses by CCSS**

CCSS has at its disposal a range of possible responses to incidents involving illegal drugs. In all cases, the response will be appropriate and in balance with the health, safety and welfare of all students and staff at CCSS. These responses include:

- early intervention and targeted prevention
- referral (for example to a drug information service)
- counselling
- behavioural support plans and contracts (such as written student/parent contracts)
- involvement of outside agencies (including the local police drug liaison officer)
- fixed period exclusion (suspension, to aid investigation or where there is an immediate threat or conflict to the safety of others or to the student concerned)
- pastoral support programmes
- a managed move to another school or college (in agreement with parents or guardians)
- permanent exclusion (expulsion).

Contact with the Drug Action Team may be made through CCSS. Or via: <http://www.cambsdaat.org/>,  
or: Unit 100, Rustat House,  
60 Clifton Road, Cambridge CB1 7EG,  
Tel: 01223 718588, Fax: 01223 718226

Advice can also be sought from the Bridge Project who may be contacted at:

Drug Advice Centre (the Bridge Project)  
154 Mill Road, Cambridge CB1 3LP  
Tel: (01223) 214614, Fax: (01223) 414584

## **Sanctions**

For those who do not wish to receive help from CCSS and elsewhere for illegal drug use, it is essential that parents and students are clear about the normal sanction that will be applied in particular instances, as follows:

### **Supply of illegal drugs (and inappropriate supply of legal drugs)**

A student who supplies any illegal drugs (regardless of the seriousness of the use) on the college premises will normally be permanently excluded for a first offence. 'Supply' includes retailing drugs on the premises, communicating with a drug dealer on behalf of another student of the college, introducing fellow students to a drug dealer, and any other instance of procuring legal or illegal drugs for him/herself or other students. 'Supply' includes supplying for money or free-of-charge. Students and parents should be aware that the same sanction will apply in the case of the supply of a drug which is legal (including over-the-counter drugs) but used inappropriately.

In these cases, the Principal will assess the seriousness of the incident before deciding whether to exclude permanently or for a fixed period pending further investigation. Before making a decision on permanent exclusion the Principal will ensure that a satisfactory investigation has been carried out. Students may be temporarily excluded for a fixed period where this is deemed in the best interests of the college, the student and/or other students.

### **Possession**

A student who has any legal or illegal drug in his/her possession is likely to be excluded for a fixed period, to be determined by the Principal after considering all the circumstances of the case. In serious cases permanent exclusion can be an appropriate action. The Principal will also determine, in consultation with parents, the student and pastoral staff, what counselling needs to be provided and/or other action needs to be taken during or after the exclusion. In the event of a further offence, the Principal will determine whether a further fixed term exclusion is appropriate, or whether it is appropriate to exclude permanently. In coming to a decision the Principal will take into account any medical/police/social service/drug adviser reports that may be available, and consider whether further counselling is appropriate. A permanent exclusion is most likely when a student has not responded to or been resistant to the help offered. Again, consultation with parents, the student and other bodies will be part of the process.

### **Informing parents**

CCSS will normally inform parents and/or guardians of any incident involving the use of illegal drugs, **including suspicion of use**. Students reaching the age of 18 are still subject to this policy. An exception to this may be where there is concern for the student's safety at home. In such circumstances the college child protection officer will be consulted. Parents are encouraged to approach the college if they are concerned at drugs use by their child or his/her immediate friendship group.

### **Offences outside the College**

If a student is involved in a drug-related incident outside the college the Principal will assess the implications for the student and the college and determine the best course of action bearing in mind the interests of the student and the interests of the college and wider community. Incidents of supply (see above) may result in permanent exclusion where the Principal believes that the reputation of CCSS has been damaged, in line with our standard terms and conditions. The Principal will consult as appropriate with the Police Liaison Officer or other agencies before making a decision.

For the purposes of this policy, the college's grounds and premises (boarding and academic buildings) are deemed to be part of the college. Students off college premises, for example when travelling to and from college in the morning and evenings (day students), travelling between college buildings at all times (including evenings), at all times during the normal term times (boarders, or day students in contact with boarders) and on trips and visits (either accompanied by a member of staff or self-escorted) are still deemed to be subject to this policy as if they were on college premises.

### **Drugs testing**

- CCSS reserves the right to test students whom they suspect have been involved in any illegal drug incident. Incidents may involve suspicions, observations, disclosures or discoveries of situations involving illegal and other unauthorised drugs.

CCSS uses rapid drug screening products as supplied by a reputable supplier. CCSS may request testing of saliva, urine or hair. Illegal drugs tested by these products include (but not exclusively so) amphetamine, barbiturates, benzodiazepines, cannabis, cocaine, methadone, methamphetamines, MDMA, opiates, phencyclidine and tricyclic anti-depressants.

In normal circumstances the Principal or a senior member of staff will be informed before any drug test is carried out. CCSS will also make every effort to inform parents or guardians in advance of a drugs-related test. Students who refuse to allow the test to take place will be subject to the disciplinary procedures as outlined above and the police may be informed.

Students who may have taken illegal drugs before the start of an academic term are advised that they should ensure that they are drug-free for their studies at CCSS, as no tolerance will be given if a student is under the influence of drugs while at CCSS, as this diminishes learning and can place staff and other students in danger.

### **Searches of property, belongings or persons**

CCSS follows the guidance issued by the Boarding Schools Association in line with the Children Act 1989 and the Commission for Social Care Inspection (Care Standards Act). Searches of a person are not permitted and students are first asked, upon suspicion, if they have illegal substances on their persons, always in the presence of a second adult witness. This can involve turning out of all pockets or bag. If the student refuses, CCSS will contact parents or legal guardians and the student will be subject to the college's disciplinary policy. The police may also be called, who may then conduct a personal search if they believe that a crime has been committed.

Staff will not search personal property without the consent of the student. As above, refusal will result in parents or guardians being contacted and/or the police called. Staff may search college property where possession, supply or manufacture of illegal drugs is reasonably suspected. In these circumstances, staff may conduct a search of college property in the absence of the student and access locked CCSS property. CCSS may consider the use of trained sniffer dogs under the control of a qualified dog handler when it has good reason to suspect the use, storage or possession of illegal drugs on any of its premises. Sniffer dogs will not be used to search persons but may point to personal handling of illegal drugs, this evidence to be treated as grounds for suspicion .

A written record will be kept by the Principal. Illegal drugs will be handed to the police for disposal and any other confiscated item returned to the student's parents, regardless of age of the student.

### **Involvement of the Police**

Although there is no legal duty to inform the police of any drug incident in the college, the trustees' policy is that the Principal will determine whether to inform the Police Liaison Officer and will seek any relevant support and advice. Where the college suspects that drugs are being sold on the premises all relevant suspicions and information will be passed to the police.

The police have their own codes of practice for dealing with such events. Normally the police will interview students away from the college and in the presence of parents, guardians or a designated other acting "in loco parentis". Exceptionally, students may be interviewed on college premises with the Principal's agreement, provided that efforts have been made to inform the student's parents. If CCSS is aware of possible criminal activity off the college's premises, the guidance recommends that the police should also be informed. Again, CCSS will inform the police where the Principal believes this is in the best interests of the students at the college.

### **Monitoring and Review**

In addition to ongoing monitoring, this policy is reviewed every two years by the College Council and changes ratified by the Trustees of the College.