

# SUPPORTING AND MANAGING DRUG RELATED INCIDENTS POLICY

## INTRODUCTION

Hasmonean High School believes that drug-related problems should be dealt with in an open and responsible manner. The School believes unequivocally that taking illegal drugs is wrong; it is against the law, potentially hazardous to physical and mental health and has other known detrimental effects. The School acknowledges the fact that illegal drug-taking is endemic and cuts across all strata of society. Similarly, the School acknowledges that our pupils will be exposed to what are commonly termed, despite the recent change in the law, Legal Highs. The dangers that these substances pose are well documented. This policy is designed to outline our response to both legal and illegal drugs. This policy is also designed to act as a deterrent to pupils who are considering bringing drugs onsite or to a School based activity. The focus is for the School to put in place appropriate support before situations escalate further.

Drug use is an increasing problem in the teenage population and is affecting younger and younger children in the UK. Evidence from research suggests that the risk of pupils coming to school under the influence of drugs or bringing drugs into school has increased dramatically over the last 10 years. Drugs can not only affect the child that is taking them but may have a knock-on effect on other pupils by disruptive behaviour affecting the learning and wellbeing of other students and increasing peer pressure to take drugs. There is also evidence of the long-term damage to the health and wellbeing of young drug users. Of particular concern is the link with mental health issues, such as depression, suicide, psychotic symptoms, anxiety and paranoia. Researchers have recently found robust evidence to show that using cannabis in adolescence can increase the risk of developing depression in adulthood by 37%.<sup>1</sup>

The School has a duty of care to its pupils and must ensure a safe and secure school and learning environment; as part of this duty, the School (assisted by its teachers) must be vigilant in order to spot issues like drug abuse and drug dealing between pupils. The School sees that it is part of its professional and safeguarding responsibility to provide support and counselling for any pupils and their families who encounter problems with drugs. At the same time, it will take any necessary disciplinary or other appropriate action. It is also the School's responsibility to protect the community, as much as it can, from dangerous influences and these include drugs.

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<sup>1</sup> G. Gobbi et al. Association of cannabis use in adolescence and risk of depression, anxiety and suicidality in young adulthood: A systematic review and meta-analysis. JAMA Psychiatry 2019 DOI: 10.1001/jamapsychiatry.2018.4500

Many young people encounter drugs in the wider social scene outside school and occasionally the problem will carry over into school in a variety of ways, e.g. academic performance, punctuality and appearance. The School accepts that its pupils are unlikely to be markedly different in this respect from their peers in other parts of the country. It is vital that all pupils are educated to understand the dangers of drug misuse and dependency.

The School is also aware of the fact that there appears to be increasing evidence that the longer-term effects of the misuse of illegal drugs may well be more extensive and serious than is generally perceived to be the case and that for some pupils there is a heightened risk of psychosis. Inevitably, those who become involved with drug use also become involved with a criminal element of society with the risks that follow.

Anyone coming forward with a drugs problem will receive help. Below is a non-exhaustive list of possible supports that a pupil and their family can receive depending on what the Pastoral and Safeguarding team deem appropriate:

- Addiction counselling
- Referral to CAMHS
- School Counsellor
- Drugs Education
- Pupil and Staff mentoring
- Informal Education / HIPE involvement
- Parenting courses and resources
- Signposting to drug related support organisations and helplines
- Personalised Rehabilitation Plan

## **1. DRUG SUPPORT AND PREVENTION EDUCATION**

The School recognises that the main way to aid pupils and their families with drug related issues is through education and support. The School will provide a planned programme of drugs education within the curriculum as part of the PSHE Programme and, when needed, additional sessions for specific cohorts. This curriculum programme will educate students about the legal and health issues concerning drugs, and will include the opportunity to discuss moral and other aspects involved in drug taking. From time to time, there will be information evenings for parents on this and other topics. Therefore, this policy strengthens the School's commitment to its pastoral and safeguarding roles in the general educational welfare of pupils and to the health and safety of the whole community.

## **2. PURPOSE**

The purpose of this policy is to set out how the school will endeavour to prevent pupils from using illegal drugs during school time and to discourage their use at any time. Critically, the School has a legitimate interest in pupils' activities outside school hours where they may bring the School into disrepute, where they may endanger the well-being of the pupils concerned or where they and other pupils from the School are put at physical or mental risk or are breaking the law. If a pupil is suspected of being under the influence of drugs, the School must prioritise the safety of the young person and those around them to ensure that the correct support can be put in place. This may include the requirement to test a student for drug use.

## **3. SEARCHES**

If the School reasonably suspects that a pupil has a forbidden substance on their person they may be asked to hand them over voluntarily, for example by turning out their pockets or bag. However, on suspicion, a search of a pupil's belongings, bags, blazer and/or locker may be authorised and carried out

by a member of the Designated Safeguarding Team or an authorised staff member. These should take place in the presence of the pupil and another member of staff. The right to search covers all School premises.

The School adheres to and follows the following Governmental policy as its source of guidance on searching, screening and confiscation.

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/674416/Searching\\_screening\\_and\\_confiscation.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/674416/Searching_screening_and_confiscation.pdf)

#### **4. SEARCHES WITH CONSENT**

The School staff may search pupils with their consent for any item. 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.

#### **5. SEARCHES WITHOUT CONSENT**

The School will follow the guidance below when carrying out searches without consent.

- Only staff members authorised by the Headteacher may carry out searches without consent and only where the authorised person/Headteacher has reasonable grounds for suspecting that the pupil may have a prohibited item/illegal drugs.
- The staff member must be the same sex as the pupil being searched; and there must be a witness (also a staff member) and, if possible, they should be the same sex as the pupil being searched.
- There is a limited exception to this rule. The staff member can carry out a search of a pupil of the opposite sex to them and / or without a witness present, if there is a reasonable belief that there is a risk that serious harm will be caused to a person if a search is not conducted immediately and where it is not reasonably practicable to summon another member of staff.

School staff can seize any prohibited item found as a result of a search. They can also seize any item, however found, which they consider harmful or detrimental to School discipline.

Members of staff can use such force as is reasonable given the circumstances when conducting a search for knives or weapons, alcohol, illegal drugs, stolen items, tobacco and cigarette papers, drug and vaporizer/e-cigarette paraphernalia, fireworks, pornographic images or articles that have been or could be used to commit an offence or cause harm. Such force cannot be used to search for items banned under the School rules that are not expressed above.

#### **6. EXTENT OF SEARCH**

The person conducting the search may not require the pupil to remove any clothing other than outer clothing. 'Outer clothing' means clothing that is not worn next to the skin or immediately over a garment that is being worn as underwear but 'outer clothing' includes hats; shoes; boots; gloves and scarves. 'Possessions' means any goods over which the pupil has or appears to have control – this includes bags, lockers and desks.

All searches will be carried out in the presence of two members of staff for Safeguarding purposes. Any formal complaints about searches should be made in accordance with the School's usual complaints policy.

## 7. PROCEDURES FOR INVESTIGATIONS

If a member of staff is aware that a pupil is in possession of, using, supplying or inciting other members of the School to use, illegal drugs on School premises, in School time or whilst on School-organised activities, he or she should immediately report the fact to a member of the Designated Safeguarding Team.

If the incident occurs on a School-organised activity taking place away from School, the senior member of staff present must immediately be informed. As soon as possible the incident must be reported to a member of the Designated Safeguarding Team.

When illegal drugs are found on a pupil or on School premises, the law allows staff to take temporary possession of the suspected substances and related paraphernalia. At the first opportunity, the substances should be handed over to a member of the Designated Safeguarding Team. It is not permissible to retain the substance, as this would be an offence against the Misuse of Drugs Act 1971, nor is it permissible for staff to try to analyse or taste an unidentified substance.

When taking temporary possession of the suspected substances, the School will: 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; store it in a secure location, such as a safe or other lockable container with access limited to senior members of staff; notify the police without delay, who will collect it and then store or dispose of it in line with locally agreed protocols.

A member of the Designated Safeguarding Team will decide how to proceed with the investigation. Parents and/or carers will be contacted as soon as possible. Interviews with the pupil concerned will normally be conducted in the presence of another senior member of staff and any pupil in this position will be advised of his right to have an adult 'friend' present during the interview. The adult 'friend' can include a parent and/or guardian or a trusted teacher. Notes should be kept of any interview, including accurate recording of the date, time, and those present. Both in written and in verbal statements, confidentiality should be respected where possible.

Any illicit or suspicious substances confiscated during the investigation will be handed to the Police for disposal or identification as appropriate.

## 8. DRUGS TESTING

The relevant Headteacher and chair of the LGB reserves the right to request a drug test when there is reasonable cause for suspicion of the misuse of illegal drugs, or if individual circumstances suggest it would be appropriate. A drugs test would only be considered after serious consideration and with the welfare of the child in mind.

This is in accordance with the Association of Chief Police Officers (ACPO). ACPO guidance (advice for schools) on drug testing:

*"The Association of Chief Police Officers (ACPO) recommends that... drug testing should not be used for searches where there is no evidence for the presence of drugs on school premises. However schools may choose to make use of... drug testing strategies if they wish. It is advisable that the school consults with the local police."*

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 and gives his/her informed consent in writing. The member of staff leading the investigation will determine whether or not the pupil is able to provide this consent and may request the additional opinion of an experienced or medically

qualified member of staff. If it is deemed that the pupil is not competent to provide this consent, a parent or guardian will be asked to provide it for them.

Parents or guardians will be informed at the earliest opportunity of the requirement for such a test, and the reasons for that requirement. This may be after the test has been administered if it was deemed in the best interest of the child as determined by the relevant Headteacher and chair of the LGB.

If a pupil refuses to undertake the drug test, 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. As this is both a School significant ethos issue and a serious safeguarding matter the pupil may not be allowed back on School premises until he/she undertakes a School prescribed drug test. If the member of staff conducting the drug testing has a suspicion that the pupil has, or is planning to, tamper with the test in any way, this will be treated as a failed test and the pupil may not be allowed back on School premises until he/she undertakes a further School prescribed drug test.

If it is deemed that the pupil is not competent to provide consent, a parent or carer will be asked to provide it for them. However, if the parent or carer refuses to consent to their child being tested, the School may again draw inferences and the Police may be informed. As this is both a School significant ethos issue and a serious safeguarding matter the pupil may not be allowed back on School premises until he/she undertakes a School prescribed drug test.

The School uses a urine screening test cup, using a rapid test cup as the means for testing for various substances. This test: is largely self-administered by the pupil; is rapid, accurate and easy to undertake; does not require medical supervision, and will normally be supervised (collected) by a member of the Designated Safeguarding Team of the same sex as the pupil or a member of staff delegated to this role by the Designated Safeguarding Team.

For a full explanation of the protocol for testing, see Appendix A.

1. Pupils will produce the urine sample under controlled conditions. The same staff will be present when the results are revealed after five minutes. Results will show positive, negative or invalid for 15 drugs.
2. A positive result to the test (drugs are present) would be expected to lead to an admission of drug use by the pupil. The member of the Designated Safeguarding Team, or anyone delegated to the task by them, will then fill one more specimen bottle in the back-to-the-lab kit with the same sample.

The School believes that drug testing may help to remove the problems of uncertainty and lingering suspicion which often emerge during investigations.

**The School does not believe in random testing.** Testing will only be carried out when there is clear reason to do so. The decision to conduct a test will only be taken by the relevant Headteacher and chair of the LGB. The procedures for the test are outlined in Appendix A. The donor will be given the opportunity to declare any recent use of prescribed or non-prescribed drugs. The School will treat a positive test, although not infallible, as evidence that the pupil has been using drugs.

## **9. SANCTIONS FOLLOWING THE MISUSE OF ILLEGAL DRUGS**

Any pupil who tests positive following a test will be placed on the Supportive Testing Programme. Any pupil caught in possession of, or using illegal drugs on School premises or whilst on a School-related activity, may be permanently excluded unless there are extenuating circumstances, in which case they are likely to face a fixed term exclusion and acceptance of the requirement that, if they do return to

School, the School will reserve the right to implement the Supportive Testing Programme for the remainder of their time at the School. These tests will be made at the School's behest and charged to a pupil's parents. Failure to agree to this may result in permanent exclusion.

Any pupil caught supplying, or inciting the use of, illegal drugs, or being in possession of them with the intent to supply, may be permanently excluded. The Headteacher may, at his/her discretion, offer a supportive regime as an alternative to expulsion, if the circumstances warrant it. This scheme is set out under Appendix B.

### **Supportive Testing Programme**

The Supportive Testing Programme will provide pupils with appropriate intervention and support, such as drugs counselling and other interventions mentioned in the introduction.

A pupil on the Supportive Testing Programme will be tested once every week for a time determined and under the supervision of a member of the Designated Safeguarding Team. There will be a sixth monthly review of the programme. The procedure will be to summon the pupil without warning, tell them they are to be tested, ask them if they consent to being tested and their parents informed of the test after the test or before. The test then proceeds as per the instructions in the testing kit. A pupil on the Supportive Testing Programme testing positive to illegal drugs and where there are other exacerbating factors, may be permanently excluded from the School in line with the School's Behaviour Policy.

**Approved by Stone King October 2021**

**Ratified by Governors Standards Committee Oct 2021**

**Next Review October 2026**

## **Appendix A - Procedures for Testing**

### **1) Introduction**

Any testing must be authorised by the relevant Headteacher supported by the Chair of the LGB, who will appoint a supervisor for the collection of necessary samples. This will usually be either the Assistant Headteacher, Year Leader or a member of the Pastoral Team. The reasons for the test will be clearly outlined to the pupil and will only take place with the required consent.

A pupil will not be compelled to take a test. If necessary, it will be explained to the pupil that taking a test could remove suspicion and possibly allow their innocence to be established. They will also be made aware of the fact that should they refuse to take a drugs test, the School reserves the right to draw inferences from such a refusal and may result in the pupil being required to leave the School community and/or the Police being informed.

### **2) Procedure for Collection of Sample**

Testing will normally be supervised by a member of the Designated Safeguarding Team, or somebody appointed by the Designated Safeguarding Team accompanied by a second member of staff as an observer. Both staff members will be of the same sex as the pupil.

The method of testing will be through urine samples and the procedure for collection as detailed by the manufacturer of the testing kit will be clearly outlined to the pupil before collection of the sample takes place. This will also include an explanation of the paperwork and the completion of that paperwork. Throughout the test, every effort will be made to maintain privacy and dignity. Should the pupil, or the observer, be concerned about any part of the procedure, they have the right to ask for that particular test to be stopped and for the procedure to be restarted.

Prior to the test, the pupil will be asked to remove any coats, jackets or jerseys and they will be asked to empty all pockets as well as removing shoes. Pupils will only ever be asked to remove outer clothing. They will also be asked to thoroughly wash their hands. They will not be allowed to take articles of any kind into the testing room. When providing the sample, they will be assured of privacy.

## Appendix B - Supportive Testing Programme

Date: .....

Full Name of Pupil: .....

Pupil's Date of Birth: .....

Age Now: .....

1. I have made a voluntary admission of having used a controlled drug or substance in breach of the School's policy and disciplinary rules.

And/Or

2. As an alternative to permanent exclusion, relevant Headteacher has offered me a supportive regime under which:
  - While a member of the School and until such time a member of the relevant Headteacher sees fit, I may be asked at any time to provide a urine sample under medical supervision for analysis in accordance with the procedures described on the attached policy which I have read and understood.
  - I understand that I may be asked to provide a urine sample at any reasonable time even though no grounds exist at that time to suspect that I have been involved with drugs or substances.
3. I agree to be subject to this programme and to co-operate with the School in every respect. I understand that the School will take all reasonable care to preserve my confidentiality and human rights in the operation of this regime.
4. I also understand that if without good reason I fail to cooperate with this regime or if a test proves positive, I may be permanently excluded in line with the School's Behaviour Policy.

Signed: .....

### Declaration of Parents/Guardian/Education Guardian

I/We the undersigned have read Hasmonean High School's Policy on controlled drugs and substances, and this Appendix. For my/our part, I/we accept the relevant Headteacher's offer of a Supportive Testing Programme for the above named pupil, as described above.

I/We undertake to co-operate with the regime in all respects.

Signed: ..... Signed: .....

Full name: ..... Full name: .....

Relationship to the Pupil: ..... Relationship to the Pupil: .....

Date: ..... Date: .....