HART LEARNING GROUP
SUBSTANCE MISUSE POLICY

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INTRODUCTION

- Hart Learning Group regards itself as a health and safety conscious learning provider and has such aims to foster a caring and secure environment for its staff and students/student/learners.
- The Group has a responsibility to uphold the law in all matters. Working within the framework provided by the Misuse of Drugs Act 1971 and other relevant legislation, the Group is clear that the supply, possession and/or use of illegal drugs on its premises are unacceptable.
- The Group is committed to facilitate the prevention of alcohol and substance misuse by education, training and developing good practice.
- Drug use can be a symptom of other problems. All students/student/learners have an entitlement to appropriate interventions based on their own individual need. Strategies should be established to minimise the harm to themselves and others, such as education, diversion and early intervention and specialist support.
- Any response to drug-related incidents needs to balance the needs of the individual student/learner concerned with the wider Group community. A breach of this policy will be regarded as a serious breach of discipline.

AIMS AND OBJECTIVES

This policy has been produced to ensure:

- A consistent approach to drug issues at HLG, from all staff, visiting professionals, student/learners and, where relevant, their parents/carers.
- A positive and supportive climate that promotes responsible decisions by student/learners in relation to drug and alcohol use and challenges all to pursue better health.
- That staff have a level of understanding of health and legal risks associated with drug use and misuse to ensure appropriate responses.
- That training opportunities are provided for all staff around substance use issues.
- That a trauma informed approach is adopted and access to support services is made available.

DEFINITIONS

Drug: The term 'drug' means any substance, which changes the way, the body behaves and the mind reacts. The term can cover:

- Legal drugs (e.g. alcohol, tobacco, poppers, volatile substances e.g. glue, butane gas, psychoactive substances or 'legal highs')
- Illegal drugs (e.g. cannabis, cocaine, ecstasy, amphetamines) and
- Medicinal drugs, (e.g. Paracetamol, Insulin, Ventolin)

- *Drug use* is consumption of a drug that does not cause perceptible immediate harm – even though it may carry some risk and harm. Drug use will require interventions such as management, education, advice, information and prevention work to reduce the potential for harm.

Drug misuse is consumption of a drug or combination of drugs that harms health and/or social functioning – either dependent use (physical or psychological), or use that is part of wider problematic or harmful behaviour. Drug misuse will require a further range of interventions that may include specialist services.

Associated policies and documents:

- Staff Code of Conduct Policy
- Student Positive Behaviour Policy
- Safeguarding Procedures
- Accident and Incident Procedure
- Policy for the Administration and Storage of Medications
- Health and Safety Policy
- 'Police enquiries and attendance on site' procedure
- Smoking Policy

4. MEDICINAL DRUGS

- HLG recognises that medical needs must be catered for wherever possible, to enable students /learners to access the curriculum and that the impact of medical difficulties must be minimised as much as possible to allow this access.
- Some students /learners may require medicines that have been prescribed for their medical condition during the study day. Medicines that have been prescribed for an individual must only be used by them. They must not be given or passed to a third party.
- In general the underlying principle adopted by the Group is to avoid administering medicines wherever possible and to encourage administration of medication outside of study hours.
- In circumstances where this is not possible the Policy for the administration and storage of medications should be adopted.
- Staff must not give non-prescribed medicines, such as those providing relief from headaches, period pains or hay fever, to students/student/learners.

5. REMIT OF THE POLICY

- This policy also applies if students /learners leave site during study hours, such as when they are involved in visits off campus, i.e. field trips, residentials, work placements etc. The policy also applies to enrichment events on and off the premises.

- Staff should be clear about any constraints on their own legal substance use (e.g. of alcohol or tobacco) when on duty as stated in the Staff Code of Conduct Policy.
- Learners in work-based learning will also be subject to the policies and guidance of their employer.

6. SIGNS OF MISUSE

- There are no definitive signs to tell if a person is using drugs. Changes in appearance and behaviour can be mistaken for everyday adolescent development or responses to existing medical conditions or learning disability/difficulties. Signs and symptoms are usually more significant if the drug use becomes problematic or the person is under the influence of the drug.
- Searching for telltale signs or searching their private things can lead into suspicion. This can breed resentment and paranoia. If staff are concerned that a student/learner is using drugs they can speak to a member of Student Services.
- There is no legal duty to inform the police about the use, possession or sale of drugs. However, under the Misuse of Drugs Act 1971, it is an offence to allow premises to be used for the supply or use of controlled drugs. The Principal has a responsibility to take reasonable steps to prevent such activities continuing.
- It may come to the attention of the Group that illegal drugs are available in the local area. What action the Group takes will be determined by the Principal. There is no legal requirement for the Group to take any action.
- In the case of rumours about illegal drug use, the Principal has discretion to seek verification and obtain police advice. If the sale of drugs in the local area is confirmed the Principal will pass the information to the police.

7. STUDENT/LEARNER DISCLOSURE

If a student/learner approaches a member of staff to confide a drug problem:

  - the student/learner should be supported to speak to a member of Student Services in order to assess the situation.
  - staff must follow the Group Safeguarding Procedures and clearly state that they may not be able to guarantee confidentiality if the student/learner or someone else is at risk.
  - Under no circumstances should staff encourage, ignore or condone such behaviour or actions.
  - Staff should avoid divulging details about their own experiences of substance misuse (e.g. “I got really drunk last weekend”, “I’ tried ecstasy when I was a student/learner”) in response to students /learners’ questions, or a disclosure.
  - If deemed appropriate, the student/learner will be encouraged, to contact their local Drug and Alcohol Service. Students /learners over 18 years will be required to access Adult Drug Services. To find your nearest service contact the national drug helpline FRANK on 0800 776 600 or visit www.talktofrank.com

- Where staff become suspicious about the possibility of a student/learner using a drug, they are advised to share their concerns with a Manager or member of the safeguarding team, who will agree a course of action based on the factors listed in Section 8 – Nature of the incident.

- Where a drug problem is confirmed, the individual shall be advised to seek support as mentioned above.

8. NATURE OF INCIDENT

A careful investigation is important to judge the nature and seriousness of each incident. It is important that staff do not automatically assume that drug-related incidents are more serious than many others. The risks to the student/learner and to others should be assessed in terms of health and safety rather than criminality.

- A range of factors may be relevant and need exploring to determine the seriousness of the incident, the needs of those involved and the most appropriate response. For example:
  - the explanation of the students /learners involved
  - whether it is an isolated incident or a longer-term situation?
  - whether the drug is legal or illegal
  - what quantity of the drug was involved
  - what was the student/learner's motivation?
  - whether the student/learner knew and was careful or reckless as to their own or others' safety and how was the drug being used
  - what are the personal circumstances?
  - whether the student/learner knows and understands the Group drug policy and rules
  - where the incident appears on a scale from 'possession of a small quantity' to 'persistent supply for profit'
  - if supply of illegal drugs is suspected, how much was supplied, and was the student/learner coerced into the supply role? Were they 'the one whose turn it was' to buy for others locally or through County Lines, or is there evidence of organised or habitual supply?

- If a student/learner returns to study after a drug related incident, appropriate support should be offered. The reasons for their behaviour should be discussed and the Group policy reinforced. Appropriate action may still be taken in accordance with the Group Student Positive Behaviour procedures.
- It should be noted that, should a student/learner's state of mind and/or behaviour be compromised owing to so-called "legal highs" they are still subject to the guidance of this policy and the code of conduct and disciplinary policy.

9. INCIDENT MANAGEMENT IF SUBSTANCES ARE FOUND

- The law permits 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 staff are advised to:
  - ensure that a second adult witness is present throughout.
  - seal the sample in an envelope 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

- The Director of Curriculum or Designated Safeguarding Lead (DSL) should decide the appropriate approach in each instance. This may include notifying the police (non-emergency number 101), who may ask us to bring it to the nearest police station and then store or dispose of it in line with locally agreed protocols. Hertfordshire Police require the Group to divulge to the police the name of the student/learner from whom the substance were taken. In determining what is a 'good reason' for not delivering controlled drugs to the police, the Director of Curriculum or DSL should take into account all relevant circumstances and use their professional judgment to determine whether they can safely dispose of a seized article.
- Where staff are unsure as to the legal status of a substance and have reason to believe it may be a controlled drug they should treat it as such.
- Where a student/learner is identified the police will be required to follow their own internal procedures.
- record full details of the incident, including the police incident reference number.

- 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 young person, the police should make arrangements for them to attend a local police station.
- In the event of a police enquiry made to the Group and/or when police employees attend on site in the course of their duties, staff should adhere to the Group 'Police enquiries and attendance on site' procedure
- The Group will take very seriously any situation where students /learners either use drugs on Group premises, or where as a result of drug use, a student/learner's work or the work of others is affected.
- Any situation of suspected or confirmed possession or supply on Group premises will be regarded as an act of serious misconduct under the Group disciplinary procedures.

10. INDIVIDUALS FOUND UNDER THE INFLUENCE OF A SUSPECTED SUBSTANCE

- If a student/learner is suspected of being under the influence of drugs or alcohol on Group premises, the Group must prioritise the safety of the student/learner and those around them.
- When approaching a student/learner it can be more effective and less confronting to talk in terms of their approach to safety and general conduct rather than their alcohol or drug use.
- If necessary it should be dealt with as a medical incident, administering First Aid and summoning appropriate support.
- The following procedure should be followed;
  - Ask the student/learner to leave the classroom with you and take them to safe place.
  - In the event of requiring the assistance of a qualified First Aider dial 5005 Hitchin, 5006 Stevenage or 5008 ECC.
  - Alert a member of Student Services who will be able to help to assess the situation.
  - If it is clear that the student/learner is unable to work effectively, is potentially disruptive or could cause Health & Safety problems then the student/learner's parents or carer (if under 18 years or 'looked after' by the local authority or has special educational needs) should be contacted and sent home under supervised conditions.

- Students /learners over 18 years should be advised to leave site and go home. The student/learner should be assisted in finding safe transport home or be collected by friend or family member.
- Employers will be notified where appropriate for those individuals in work-based learning.
- An incident report must be completed
- In all instance where someone is believed to be under the influence of an illegal substance or alcohol, they will be required to leave site in accordance with a zero tolerance approach.

- All proven and suspected cases of substance misuse will be subject to procedures under the Positive Behaviour Policy.
- Notwithstanding the above procedures, the Group will assist in the provision of support for student/learner and their family, within the limits of its expertise and resources. Student Services will be the focal point of this support and will utilise the expertise of the appropriate outside agencies.

11. EMERGENCY PROCEDURE

Also see NHC Accident and Incident Procedure

- If a student/learner is found unconscious, they should be put into the recovery position and an ambulance called immediately.
- Seek assistance from a qualified First Aider using the First Aider call group on Teams. If you cannot access Teams, call the central switchboard on 01462 424242 and ask for a First Aider.
- Staff should collect any evidence of substance misuse
- Sharps and syringes etc must only be handled using gloves, those provided for First Aid or domestic cleaning gloves. They must be disposed of after use.
- If conscious the student/learner should be kept calm. It could be dangerous to excite or chase anyone who has misused certain substances, especially gases/glues/aerosols.
- A member of staff should stay with the student/learner until emergency or medical aid arrives.

12. SEARCHING PROCEDURE

- Students /learners obviously have the right to expect a certain amount of privacy for themselves and their property.
- If a member of staff suspects a student/learner has a prohibited item in his/her possession, they can:
  - Request permission from a senior manager to undertake a bag search
  - Any search should be done in a separate space away from other members of the group and should have two staff members in attendance. This should include at least one person who is the same gender as the student
  - Ask the student/learner to turn out his or her pockets and/or bag.
  - If the student/learner refuses, the search must not take place and they will be asked to return home.
  - If believed the student/learner does have a substance on him/her, the Group reserves the right to send that student/learner home in accordance with our procedures.

- Under common law powers, the Group can search lockers and similar storage facilities on their own premises for any item provided the student/learner agrees.
- If a student/learner does not consent to a locker search, it is possible to conduct a search without consent, but only where the member of staff has a reasonable belief that the student/learner is in possession of a prohibited item.
- The above procedure should be explained to any student/learner on entering Group premises and form part of all induction processes across the group.

13. DRUGS DOG SEARCHES

- Periodically the Group will undertake spot checks with the use of trained drugs dogs. These will involve unannounced visits to classes across all main sites at intervals through the year.
  - Any students identified by the dogs will be searched in accordance with the Searching Procedure detailed in part 12.
  - Any students found with drugs paraphernalia will have the items confiscated and sent home for the remainder of that study day. Parents/carers will be notified, and a stage 1 Engagement Support Plan initiated on their return to college.
  - Any students found with drugs upon them will have the items confiscated and sent home. The incident will be managed in accordance with those steps detailed in section 9.
  - The duration of time spent away from college and stage of disciplinary instigated will be assessed by the Director of Curriculum based on the drugs found and any other relevant factors.
  - Any staff identified by the dogs will also be subject to search. This should be only be undertaken by managers in conjunction with attendance or guidance from the Head of Human Resources.
  - Any staff found with drugs or drugs paraphernalia will be subject to staff disciplinary procedures.

- All dog visits will be led by a Director of Curriculum and include sufficient staff members to conduct searches in accordance with our procedures.
- Due regard and consideration will be given to those staff and students who have a phobia or any allergies in relation to dogs.

14. CONTACTING PARENTS/CARERS

- In any incident involving substance use it is advised that the Director of Curriculum, Head of Curriculum or DSL contact the students/student/learners' parents/carers (if under 18 years or 'looked after' by the local authority or has special educational needs) to explain how the Group intends to respond to the incident and to the student/learner's needs.
- Where the Group suspects that to contact this might put the student/learner's safety at risk or if there is any other cause for concern for the student/learner's safety at home, then the Group must exercise caution when considering involving parents/carers.
- In any situation where a student/learner may need protection from the possibility of abuse, refer to the Group Safeguarding procedure and the DSL
- Local support services for both student/learner and the family should be made available at point of contact.