



Smoking, Vaping, Alcohol and Drugs Policy

SLT Lead: Deputy Head (Pastoral)	Date Reviewed: Michaelmas 23
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ROSSALL SCHOOL

SMOKING, VAPING, ALCOHOL AND DRUGS - WHOLE SCHOOL POLICY

Responsibility for updating this policy: Deputy Head Pastoral

References:

DfE and ACPO drug advice for schools (September 2012)

DfE: Use of reasonable force (July 2013)

DfE: Searching, screening and confiscation: advice for schools (January 2018)

Rossall School Behaviour Policy (W4)

Rossall School Safeguarding Policy (W6)

The Senior Leadership Executive is referred to as the SLE

1. Rossall School Guidelines

1.1 Social Pressures: It is usually within a social context that people initially drink, smoke, vape, or experiment with drugs. The consumption or misuse of alcohol and the use of tobacco and drugs or other substances may be very damaging to both individuals and the social fabric of society. Within a School community it is highly corrosive and this is why Rossall School has established important guidelines and rules in these areas.

1.2 The consumption of a limited range of alcoholic drinks is permitted for Sixth Formers on special occasions and under direct supervision from a member of staff. If a member of staff leading such an event (such as a Senior Monitors' Dinner) wishes to serve alcohol with a sit down meal then he or she needs the express permission of the Head or member of the SLE. Under no circumstances will spirits ever be served at a School event and a maximum of two drinks will be permissible over the course of a meal. Smoking, vaping and any form of drugs are forbidden on the School campus. Those caught smoking, vaping or taking drugs on the School campus will be dealt with in accordance with our Behaviour Policy. The selling, supply and possession of illegal drugs is a very serious offence and will most likely result in exclusion from School. Mood-enhancing products such as nitrous oxide, 'Poppers' and other so-called 'legal-highs' or new psychoactive substances (NPS) are forbidden. Solvents or other aerosols must not be inhaled. Stimulants such as 'Pro Plus' are also not permitted.

1.3 Alcohol: Alcohol means intoxicating liquor of all descriptions (including beer, cider, wine and spirits) and this policy covers obtaining, possessing, consuming and supplying alcohol. No pupil within the School may purchase or consume alcohol unless they are in the Sixth Form and have received permission from both their parents and the member of staff supervising an event at which alcohol is being served. Parents of boarding pupils who intend to take students out to pubs or restaurants (for example after a school match) should always discuss this with their child's Houseparent before doing so.

1.4 Smoking and Vaping: Students are not allowed to smoke or vape inside or outside the School. Smoking is a health and safety risk and is particularly serious in-House as it

exposes others to passive smoking and it is a significant fire risk. Smoking in public buildings within the UK is illegal and carries a fine.

1.5 Drugs: ‘Drugs’, for the purpose of this policy, means controlled drugs and the paraphernalia of drugs or substances intended to resemble drugs, or legal or prescription drugs which can be obtained from a chemist shop. The definition also extends to performance-enhancing drugs, anabolic steroids, glue, other solvents or aerosols, novel psychoactive substances and all other substances held or supplied in each case for purposes of misuse. This policy covers the possession, use and supply of such substances.

Rossall School is aware that some substances which are not illegal may have an intoxicating, and/or stimulating and/or hallucinogenic effect. These fall into the definition of ‘drugs’ for the purpose of this policy. The use of any products which have such an effect is against School rules and students misusing such substances (including possession or supply of such substances) will be dealt with in a similar fashion to those who use illegal substances.

The School community extends well beyond the physical boundary of the school. Students of Rossall School may not use, possess or supply these substances at any time; either at School or away from School, including during school trips, excursions and holiday periods. The definition of ‘use’ in this policy includes either deliberate or reckless inhalation, injection or ingestion. The definition of ‘possession’ includes having the drug or substance on one’s person, in one’s clothing, in one’s room or in one’s belongings, although ‘possession’ may also include having knowingly concealed a drug or substance in another location with the intention of retrieving it in the future, including coercing another student to conceal the substance in their room or belongings. Facilitating the taking of drugs by other pupils is dealt with as an incident of supply/possession.

1.6 Rules about drugs and alcohol: Rossall School forbids students from:

1.6.1 any possession, use or supply of drugs and substances at any time;

1.6.2. subject to circumstances set out in 1.3 above, bringing alcohol onto School premises or being in unsupervised possession of alcohol or obtaining or supplying alcohol to another, or being impaired by alcohol while on School premises or in the care of the School.;

1.6.3 bringing the School into disrepute for any reason associated with alcohol or drugs and substances, whether or not the student is in the care of the School at the time. Action will be taken when the welfare of any member of the School community or the reputation of the School is affected.

2. Pastoral Care

2.1 Pastoral Care: Students are encouraged to discuss their anxieties or concerns about smoking, alcohol, drugs or substances in confidence with a member of staff in the Health and Wellbeing Centre.

2.2 Process for Pastoral Support: Any student who discloses an issue under Section 2.1 of this policy, will, from the moment of disclosure, be expected to comply fully with the School's requirements for the student to receive advice and treatment for their issue. This will have to comply with the conditions as laid out in section 7.3 of this policy. The student will also be subjected to random-times drug testing as described in section 5.2 of this policy.

2.3 Staff: The members of staff who oversee and coordinate these issues are the Deputy Head Pastoral, the Deputy Head (Safeguarding), the Head of the Health and Wellbeing Centre and Houseparents.

2.4 Training: Staff will be trained during their induction on how to recognise and manage such issues. Periodic updates will be given from time to time.

2.5 Education: The School educates students to understand that the use of illegal drugs is or may be a criminal offence and will be harmful to their health, integrity, independence, opportunities and careers. Education about smoking, vaping, alcohol and drugs is directed at all year groups. It is included in the School's PSHE programme, Tutorial Programme, visiting speakers and at year group presentations/assemblies and in some lessons such as biology.

2.6 Parents: Every parent is expected to read and discuss this policy with their child. Rossall encourages honest and open discussion between parents and students so that parents are aware of the issues and pressures facing their children. If parents attending school premises appear to be under the influence of drugs or alcohol, they will be asked to leave and the member of staff making the request should refer the matter to the School's Designated Safeguarding Lead (DSL). If a member of staff suspects that a parent has driven or will drive whilst under the influence of drugs or alcohol, the member of staff should report the matter to the DSL or a member of the Senior Management Team who will most likely inform the police. If the DSL reasonably believes that a student or other child is at immediate risk of harm from a parent who is under the influence of drugs or alcohol, the student or other child will not be released into the care of the parent until appropriate measures have been taken. These may well include involving another member of the family, social services or the police.

3. Searches for alcohol, drugs, substances and related paraphernalia

3.1 Informed consent: Before any search is undertaken consent will normally be sought from the student, unless the student is incapable of giving consent due to intoxication or absent from school. The member of staff leading the search will determine whether or not the student is able to provide this consent and may request the additional opinion of a medically qualified member of staff if required.. If consent is refused then, ordinarily, the assumption will be made that the person is in possession of alcohol, drugs or related paraphernalia. The School will be entitled to draw inferences from their responses and general demeanour and the police may be informed.

3.2 Searches without consent: The Head and staff authorised by the Head may search a student's possessions or room without their consent if they have reasonable grounds for

suspecting that a student has tobacco, vaping paraphernalia, drugs or other illegal substances in their possession. See the School's *Searching and Confiscation Policy (W20)*

3.3 Seizure: Any seizure of a substance covered in 1.5 of this policy will take place in the presence of two adults.

4. Police Involvement

4.1 Procedures: If the School seizes a controlled drug, the drug may be destroyed by the Medical Centre. Otherwise, the School will deliver it to the police as soon as reasonably possible. In all other cases, the School may decide to request the involvement of the police from the outset. If the police suspect that a student possesses or has stored drugs, substances or related paraphernalia, the police may elect to investigate using their own procedures or may pass the matter back to the School to investigate.

4.2 Any seizure of a substance thought to be an illegal substance will take place in the presence of two adults authorised by the Head to undertake searches.

4.3 Contacting the police: The Head's discretion may be used to decide whether police involvement is appropriate. In any case, the statutory authorities would normally be contacted by the DSL in order to safeguard the students at the School. Should it be decided that any form of criminality has occurred, then the police will automatically be informed as soon as is reasonably possible.

5. Testing for drugs or alcohol

5.1 Random testing: Any student may be asked to undertake a randomly-timed drug test at any time whilst they are at School. They will be asked to supply, under supervision by a trained operative, a biological sample for analysis.

5.2 'For cause' testing: if, outside the context of confidential counselling, there is reason to suspect that a student has been involved with drugs or substances, they may be asked to supply, under supervision by a trained operative, a biological sample for analysis. The reason for this policy is:

- to deter the use of drugs and substances
- to identify users
- to absolve those who have been wrongly suspected

Reason to suspect use of illegal drugs may arise as a result of information or a complaint received or because of a student's behaviour such as:

- a decline in performance in school work
- marked swings in mood
- excessive tiredness
- sores and rashes especially on the mouth or nose
- a lack of interest in physical appearance
- an unwillingness to take part in School activities
- other signs or evidence, such as the finding of certain items of equipment, behaviour on a particular occasion, or other information that has been gathered.

5.3 Breath test: A student suspected of unauthorised consumption of alcohol may well be asked to give a sample of their breath by blowing into a breathalyser. Only members of staff (including Houseparents) who have received specific training will be permitted to administer the test and the test, when possible, will be witnessed by another member of staff, although this requirement should never prevent timely testing.

5.4 Informed consent: The relevant consent to a drugs or alcohol test is that of the student rather than the parents, even if the student is under sixteen years of age, provided they are of sufficient maturity and understanding. The member of staff leading the search will determine whether or not the student is able to provide this consent and may request the additional opinion of a medically qualified member of staff. In any case, a testing consent form signed by parents will be required and it is a condition of acceptance of a new student into the School that a signed consent form is returned to the School before admission.

5.5. Notifying parents: Reasonable endeavours will be made, before a biological sample is taken, to notify the student's parents, guardian or education guardian of the requirement for the test and reasons for that requirement, unless parents have already been informed that a student has been put onto the testing programme in which case the School may not inform the student's parents before each individual test. This clause, however, is not binding and students may be tested before parents are notified if necessary for safeguarding or other reasons.

5.6 Drug Test supervision: The biological sample will be taken by a member of the Health and Wellbeing Centre who is medically trained. All due care will be taken to respect the student's privacy and human rights.

5.7 Refusal: If a student refuses to provide a biological sample or sample of breath, they will be asked to explain why they have refused. The School will be entitled to draw inferences from their response and general demeanour and the police may be informed. If a parent's consent is required and they refuse to consent to their child providing a biological sample or sample of breath, the School may draw inferences from the student's general demeanour and, in the case of drugs, the police may be informed.

5.8 Drug testing procedures: These will be in accordance with standard good practice.

For example:

5.8.1 care will be taken to make as certain as possible that the sample provided is genuine and uncontaminated:

5.8.2 chain of checks will be carried out to ensure that the sample remains uncontaminated at all stages of the process.;

5.8.3 the donor will be required to complete paperwork to confirm the validity of the sampling and the chain of custody is intact

5.8.4 the donor will be provided with an uncontaminated extract of their sample

5.9 Medical Record: The outcome of drug and alcohol testing, whether positive or negative, will not form part of the student's permanent medical record.

5.10 Outcome

5.10.1 reasonable attempts will be made to notify the student and parent by telephone, letter or email

5.11 Confidentiality: Sensitive personal information about students is disclosed only on a 'need to know' basis with careful attention to students' rights and needs. All incidents involving the use, supply or possession of drugs will be brought to the Head's attention, as will any circumstances requiring a student to be tested.

6. Subsequent action - alcohol

6.1 Procedure following a positive breath test: The School will treat a positive alcohol breath test as evidence that a student has been drinking alcohol. Normally the relevant Head of Year/Houseparent and Deputy Head (Pastoral) will investigate the incident and the student will be required to meet with a member of the Senior Leadership Executive.

6.2 Procedure in the case of possession or use of alcohol: the relevant Head of Year/Houseparent and Deputy Head (Pastoral) will investigate the incident and the student will then meet with a member of the Senior Leadership Executive. *When this happens at a weekend, responsibility for responding to the situation lies with the Senior Member of staff on duty.*

6.3 The Senior Leadership Executive will apply a suitable sanction, as laid out in the Behaviour Policy

7. Subsequent action - drugs or substances

7.1 Procedure following a positive drugs test: the School will treat a positive drug test as evidence that the student has been using drugs. Subsequently, the following may apply:

7.1.1, the student will normally be suspended from School

7.1.2 the student will be asked to attend a meeting with a member of the SLE with their parents or a member of the School staff chosen by them to assist them:

7.1.3. the evidence of the positive samples and all other relevant evidence will be put to the student and they will be invited to respond;

7.1.4 their response will be heard and considered and further enquiries will be made if necessary;

7.1.5. The SLE member will make a finding of fact on the balance of probabilities based on the evidence and supported by reasons

7.2 Sanction following a positive drug test: If the SLE member's decision is that the student has been using drugs, following a drugs test, the Head will be informed. The Head will outline the range of sanctions that they have been considering and will then, or at a later meeting if requested, listen to mitigating circumstances and consider the student's academic and disciplinary records before deciding upon a sanction. If exclusion or required removal is being considered, the procedures set out in the School's Behaviour Policy will be followed.

7.3 Sanction following use, possession or supply of drugs: Anyone supplying drugs must expect to be permanently excluded immediately even if they are about to sit public examinations. Anyone possessing or using drugs must also expect to be permanently excluded but, in exceptional cases, a supportive regime may be offered as an alternative to permanent exclusion.

At the Head's sole discretion, a student who contravenes the School's policy may be allowed to continue in the School on certain conditions which must be strictly adhered to, and which are detailed below:

Circumstances and conditions

- The student must have no previous record of serious breach of the School's behaviour policy in any matter
- The offence must be the use or possession of drugs and not the supply of drugs
- The student must provide details about when they last took a drug
- The student no longer uses drugs or must be prepared to meet the School's programme for giving up using drugs
- The student must cooperate in identifying sources of supply and in identifying other students who are involved in substance misuse, possession or supply.
- Parents must signal their unequivocal endorsement of the School's policy
- The parents and student must consent to the School's right to require the student to undergo regular testing for drug use and parents agree to cover the cost of the tests
- Subsequent use, possession or supply of a drug will be cause for immediate and permanent exclusion, as will any other serious breach of the School's Behaviour Policy.

7.4 Supportive regime: In the case of drug or substance abuse, if there are extenuating circumstances and the student is not permanently excluded from the School and at the Head's sole discretion, the student will be put on a randomly-timed drug testing programme and the student will receive a programme of education. If any subsequent tests are positive, the student can expect to be permanently excluded from the School immediately. Refusal to take a test in these circumstances may also result in the student being required to leave the School.

The Head is not obliged to offer this supportive regime

7.5 Charges: Invoices for each test required under this policy will be passed directly to the bursar as appropriate. The School will cover the cost of a first test but parents will be charged for any subsequent tests in accordance with this policy.

8. Smoking and Vaping

8.1. A student who is caught smoking, vaping, or suspected of smoking or vaping, is in possession of tobacco or smoking/vaping paraphernalia or has supplied such products to other students will be subject to the School's Behaviour Policy. Persistent offences could result in a requirement for the student to be permanently excluded.

8.2 The School can offer students a smoking cessation programme- and a programme of education.

9. Student Safeguarding

9.1 Student Safeguarding and Child Protection procedures will be taken into account when applying this policy. If a child is in danger of immediate, serious harm, elements of these outlined procedures may not be followed in order to expedite appropriate care for the child.

10. Monitoring

10.1 This policy will be reviewed regularly and in particular:

- following any serious incident involving students and drugs
- following the issue of any new guidance from the Department of Education (DfE)

10.2 The review will be carried out by the Deputy Head (Pastoral). A report will be made to the Governors who will ratify any necessary amendments.