



# Drugs Policy

<b>Policy number</b>	BS025
<b>Applies to</b>	Whole School
<b>Endorsed by</b>	Head Master
<b>Responsibility</b>	Head Master
<b>Date reviewed</b>	March 2021
<b>Next review</b>	March 2022

## Introduction

Bedford School believes that drug-related problems should be confronted 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 cuts across all strata of society. 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 helped 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 boys there is a heightened risk of psychosis. Inevitably, those who become involved with illegal drug use also become involved with a criminal element of society with the risks that follow.

The School sees that it is part of its professional 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.

Any pupil who, other than in the context of a drugs-related disciplinary investigation, sees a member of staff to ask for help in dealing with a drugs problem will via the Vice Master be referred to an appropriate external specialist. This will at all times be treated as a pastoral rather than a disciplinary matter. Any pupil disclosing drug use is told that confidentiality cannot be guaranteed and that the issue may need to be taken further for the pupil's safety. Any information will be recorded and treated sensitively.

## Drugs Education

The School will provide a planned programme of drugs education within the curriculum as part of Citizenship. The programme will contain factual information, including the legal and health issues concerning drugs, and includes the opportunity to discuss moral and other aspects involved in drug taking. The School's Medical Officer, local health agencies and Police will, where appropriate, assist in the delivery of this programme. From time to time, there will be information evenings for parents on this and other topics.

## Purpose

The purpose of this policy is 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 boys' activities outside School hours where they may bring the School into disrepute, where they may endanger the well-being of the boys concerned or where they and other boys from the School are put at physical or mental risk or are breaking the law.

The School has long been concerned with the dangers of illegal drugs and their misuse. Its aim is to dissuade members of the School from taking illegal drugs.

If a pupil is found to be involved in the misuse of illegal drugs, if reliable reports give rise to suspicion of involvement, or if a boy's behaviour shows signs that he may be abusing drugs, parents will always be informed of the School's concerns as soon as possible.

This policy strengthens the School's commitment to its pastoral role in the general educational welfare of pupils and to the health and safety of its members.

## **Procedures for investigations**

If a member of Staff is aware that a member of the School 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 either the Head Master or Vice Master.

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 the Head Master or Vice Master.

When illegal drugs are found on a pupil or on School premises, the law allows staff to take temporary possession of the suspected substances. At the first opportunity, the substances should be handed over to either the Head Master or Vice Master. 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.

The Head Master and/or Vice Master will decide how to proceed with the investigation. Parents and/or Guardians 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 or tutor and any pupil in this position will be advised of his right to have an adult 'friend' present during the interview. 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.

The Police and other appropriate external agencies will normally be informed of any drug-related incidents.

## **Searches**

On suspicion, searches of a pupil's desk or locker may be made. These should take place in the presence of the boy and another member of Staff.

Pupils may be asked to hand over any substances voluntarily, for example by turning out their pockets or bag.

Physical searches of pupils by staff are not allowed by law. If a pupil refuses to turn out his pockets, DfE advice is that the school should contact the Police.

The right to search must be based on the principle of reasonableness and show sensitivity towards the pupil concerned with regard to respecting his property. A pupil has the right to nominate someone to be present during the search.

The right to search covers all School premises, including boarding houses.

## **Drugs Testing**

The Head Master 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.

In the event of a pupil refusing to take a drugs test, or his parents or guardian refusing consent, the School reserves the right to take further action when the evidence suggests that the pupil has been involved in drug misuse.

The normal method of testing will be urine testing using a multi-test from a company called Grendonstar and it is a prime concern to the School that the testing is carried out in a dignified and hygienic way.

The Head Master or Vice Master will inform the pupil and his parents/guardians, when he is required for a urine test. The pupil will then be required to provide a urine sample as set out in the School's procedure for 'sample collection'.

The collection of a urine sample will be done as soon as possible.

The School believes that drug testing may help to remove the problems of uncertainty and lingering suspicion which often emerge during investigations. On the first occasion, in the event of a drug test proving negative, the School, will pay for the test. In the event that it is positive, the boy's parents will be charged for the test.

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 Head Master or, in his absence, the Vice Master. 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.

## **Sanctions following the misuse of illegal drugs**

Any pupil caught supplying, or inciting the use of, illegal drugs, or being in possession of them with the intent to supply, will be permanently excluded.

Any pupil caught in possession of, or using illegal drugs on School premises, whilst on a School-related activity, or during the school day, will be excluded unless there are, in the opinion of the Head Master, particularly extenuating circumstances, in which case he is likely to face suspension and acceptance of the requirement that, if he does return to School, the School will reserve the right to implement a random drug testing programme for the remainder of his time at the School. These tests will be made at the School's behest and charged to a boy's parents. Failure to agree to this will result in exclusion.

If a boy is tested because there is strong suspicion that he is involved with drug use outside School and/or his behaviour or performance suggest he has been using drugs, he may also be tested and, if found positive, placed on a random testing regime. The School cannot be seen to be condoning

illegal activities and has a duty of care to the boy and his parents and also to others in the School to do all it can to discourage drug use.

A boy on a random testing regime will be listed with the Vice Master and tested after consultation with the Head Master. Usually a Senior Housemaster will be involved in administering the test in the Medical Centre. The procedure will be to summon the boy without warning, tell him he is to be tested, ask him if he consents to being tested and his parents informed of the result after the test or, if he prefers them to be informed first, ask him if he wants a 'donor witness'. The test then proceeds as per the instructions in the testing kit.

Anyone guilty of a second drugs offence will be excluded.

## **Appendix A – Procedures for Testing**

### **1) Introduction**

Any testing must be authorised by the Head Master (in his absence by the Vice Master) who will appoint a supervisor for the collection of necessary samples. This will usually be either the Vice Master or a Senior Housemaster. The reasons for the test will be clearly outlined to the boy and will only take place with the prior knowledge and agreement of parents and the pupil concerned.

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 his innocence to be established. He will also be made aware of the fact that should he refuse to take a drugs test, the School reserves the right to take further action when evidence suggests that the pupil has been involved in drug misuse.

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

Collection of samples will take place in a private room in the Medical Centre. Testing will normally be supervised by the Vice Master, with assistance from a Medical Sister. The pupil from whom the sample is being collected will have the right to ask for a member of Staff to be present as an observer should he so wish.

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 his 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 he will be asked to empty all pockets as well as removing his shoes. He will also be asked to thoroughly wash his hands and be provided with a clean towel. He will not be allowed to take articles of any kind into the testing room. When providing the sample, he will be assured of privacy.

### 3) Testing Kits

The method of testing will be a multi-screen urine test which should give a response within ten minutes. If this initial test shows a positive result, the pupil will be asked whether or not he accepts the results of that test and, if he does, to sign the form indicating that. If he disagrees with the findings of that initial test he will be asked to provide a second test sample, using the testing kits (supplied by Forensic Alliance Limited) which will be sent off for laboratory testing.

### 4) Requirements for Testing

Whenever possible, testing will take place on the same day as the Head Master requests that a test takes place and certainly within twenty four hours of that request being made. The School will carry the cost of the first test, though any subsequent tests required by the Head Master will be charged to the pupil's account.

## Appendix B - Warning Signs that might suggest drug misuse

- Decline in School performance
- Unwillingness to take part in activities previously enjoyed
- Unusual outbreaks of temper
- Marked mood swings, restlessness and irritability
- Staying out more, perhaps with a new group of friends
- Excessive spending or borrowing of money
- Reduced interest in personal appearance
- Excessive tiredness without obvious cause
- Lack of appetite
- Heavy use of scent, aftershave, etc
- Wearing sunglasses to conceal dilated or constricted pupils

(Ref: Handbook of School Health, p.135)

## Appendix C - The Law Relating to Drugs

Misuse of Drugs Act 1971 is the principal law governing illegal drugs. The drugs it covers are divided into three classes, (A), (B) and (C).

It is clear that many controlled drugs have medical uses, so the Act also places those drugs into five schedules, which control those uses. Schedule 1 drugs are considered to have no medical use and the doctors cannot prescribe them. They can only be possessed with a special licence: they include Cannabis and LSD. Schedules 2, 3 and 4 cover most controlled drugs that have medical uses and can only be supplied with a prescription. Schedule 5 covers over-the-counter drugs available from chemists that contain tiny amounts of controlled drugs.

Some controlled drugs may be possessed legally if purchased from a pharmacy or supplied on a prescription. In other cases, the drugs covered by the Act are illegal to possess or supply. Offences involving Class A drugs are the most serious and carry the heaviest penalties.

### Principal drugs include:

Class A: Opium, heroin, methadone, cocaine, crack, LSD, ecstasy, possessed "Magic Mushrooms" and any Class B drug prepared for injection, cannabis oil.

Class B: Amphetamines, barbiturates, cannabis, codeine.

Class C: Tranquillisers, some painkillers, most anabolic steroids, GHB, Ketamine

### Cannabis and the Law

In Bedfordshire (and in many other forces) young people under 17 in possession of cannabis will be arrested. Persons over 17 but using cannabis in the vicinity of young people under 17 will also be arrested.

Maximum penalty for supply                      14 years

Maximum penalty for possession              5 years

### Premises

It is an offence knowingly to allow premises for which you are responsible to be used for smoking cannabis or opium or the production or supply of controlled drugs.

This means that, if a member of Staff knows that cannabis is being smoked by a pupil on School premises and he or she does nothing to stop it, that member of Staff commits an offence.

Knowing that another person is in possession of a controlled drug on School premises does not constitute an offence for those responsible for the premises. However, if the drug is offered for

supply to another, the person responsible for the premises commits an offence unless he or she acts to stop it.

### Confiscation

It is legal to confiscate an illegal drug in order to prevent an offence being committed and then to destroy it or hand it to the Police.

It is illegal to retain the drug, i.e. it must either be disposed of or handed as soon as possible to the Police.

### Disposal

Schools are allowed to dispose of illegal drugs. Witnesses should be present, and the action recorded. A drug may be handed to the Police, but the law does not require this.