

# CCG Drugs, Alcohol Substance Misuse and Possession of Weapons Policy

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## 1. Introduction

- 1.1. Chichester College Group (hereafter referred to as the Group) aims to provide students with the knowledge, attitude, and skills to be able to make an informed decision about drugs, alcohol, illegal substances, and weapons through a combination of education and prevention.
- 1.2. The Group acknowledges that a positive ethos helps students to feel valued and part of the Group community. In so doing, it helps to foster positive self-images, which may help students to cope better in situations involving drugs, alcohol, substance use or the possession/use of weapons.
- 1.3. The Group is committed to the welfare and health and safety of all its students and will take action to safeguard their well-being. The Group also recognises, however, that people may take risks from time to time, and that for some, misusing drugs, alcohol, and substances is one of these risks.
- 1.4. The Group is committed to an equality of opportunity that is intended to be an integral part of college life. The aim is to create an environment in which people treat each other with mutual respect regardless of age, race, colour, gender, marital status, disability, religion, or sexual orientation.

## 2. Scope of Policy

- 2.1. This procedure applies to all students.

This policy should be read in conjunction with:

- Care, Support and Medicines Policy
- IT Security Policy
- Acceptable Use Policy
- Freedom of Speech and Guest Speaker Policy
- Data Protection Policy
- Whistleblowing Policy & Procedure
- Positive Behaviour Management (including fitness to study)
- CCG Safeguarding Students, Apprentices and Adults at Risk

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### 3. Overview and Policy Details

- 3.1. Occasionally, issues occur with respect to students and their drug, alcohol and/or substance use, away from the Group, resulting in problems when on site or on Group organised activities off site. The same applies if a student is in possession of a weapon on or off site. This Policy is necessary to enable staff to know how to respond and to clarify to students what the Group's position is and what action(s) may be taken. Both drug issues and possession of a weapon have the added dimension that there are consequences regarding the law, which can make them more complicated to deal with.
- 3.2. The Group expressly forbids any user of its premises to possess, supply, manufacture or distribute any illegal drugs as defined by the Misuse of Drugs Act 1971 (classes A, B and C). This applies to but is not restricted to:
- Class A                      Heroin(diamorphine), methadone, cocaine (including crack) LSD, ecstasy (MDMA), magic mushrooms, Crystal Meth
  - Class B                      Amphetamines (speed), Ketamine, barbiturates, codeine, cannabis (herbal, resin, or oil) and would also cover some Synthetic Cannabis, such as Spice
  - Class C                      Any prescription drug a person has in their possession if not authorised to have; this includes, but is not limited to drugs such as Valium, Xanax (zanies) and anabolic steroids
- 3.3. The Group is committed to reducing the use of drugs, alcohol and/or substances on site or on Group organised activities. The Group does not endorse the use of these substances and expressly forbids possession of items that could be classified as drug related paraphernalia such as grinders, crackers, bongs etc.
- 3.4. This Policy is intended to ensure the Group is consistent in the way it tackles both instances of drug, alcohol and/or substance misuse and the Possession of a Weapon on the premises both in terms of its legal obligations and in the manner in which the individuals concerned are dealt with.
- 3.5. It is important that each student is addressed individually in a consistent and fair manner, which is independent of any prejudices which may exist, while not forgetting the seriousness and possible illegality of the student's behaviour.
- 3.6. In the first instance, any drug, alcohol and/or substance related incidents will go through the Group's Student Referral Procedure and will involve the

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College Community Support Officers (CCSO) and/or the relevant Managers. The Police may be involved depending upon circumstances. The Misuse of Drugs Act 1971 makes it an offence to possess or supply certain drugs and it allows individuals to take possession of an illegal drug, in order to prevent someone else committing an offence, providing they hand it to a member of the safeguarding team.

- 3.7. The Psychoactive Substances Act came into force on 26th May 2016. The Act makes it an offence to produce, supply, offer to supply, possess with intent to supply any substance intended for human consumption that is capable of producing a psychoactive effect. Psychoactive substances include:
- Synthetic cannabis spice
  - Nitrous Oxide
  - Poppers
  - CBD infused products
- 3.8. This Policy does not cover drugs being used for the treatment of medical conditions, e.g., common cold, headaches and infections.
- 3.9. In any case where the drug, alcohol and/or substance user or supplier is an employee of the Group, the matter will be covered by the Group's employment policies and procedures - under gross misconduct.
- 3.10. This policy is intended to ensure the Group is consistent in the way it tackles the possession of weapons on site in line with UK law. For those students who use any tools (including knives) as part of their college course, these need to be kept in a secure place when not in use.

## 4. Education, Intervention and Referral

- 4.1. Education: Promotion events around drug, alcohol and substance are held to raise awareness.
- 4.2. Intervention and Referral: It is recognised the misuse of drugs, alcohol and/or substances can have an impact on a student's academic work, mental health and/or physical well-being. In some cases, the impact of this misuse can cause concern to other students and staff. In these situations, the Group ensures support and guidance are available for all.
- 4.3. Students, who have concerns about their own substance use or that of a friend, may seek support from their Pastoral Support Tutors, Counselling team, a member of the Wellbeing/Safeguarding team or the external Substance Misuse Services; all will be able to offer advice and support.

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Staff who have concerns about a student's substance use may seek advice from the Pastoral Support Tutors, Counselling team, a member of the Wellbeing/Safeguarding team or external Substance Misuse Services. Where necessary, a case conference can be arranged to discuss issues and concerns and, wherever possible, the student involved will be invited to attend and contribute to the discussion. With the student's consent, parents/guardians may also be asked to attend. The purpose of the case conference is to facilitate an honest and frank discussion of the concerns and enable both the student and staff to have a better understanding of the situation.

## 5. Disruptive or Dangerous Behaviour

- 5.1. The use of drugs, alcohol and/or substances affects an individual's perceptions and behaviours in various ways.
- 5.2. The CCSO, Duty Safeguarding Officer, Head of Learning or Teaching and Learning Manager must be contacted if a student attends the Group under the influence of drugs, alcohol and/or substances. They will endeavour to ascertain, from the student, an appropriate place for them to go off site. If required, a taxi may be called by the area. In the case of a student being under 18, the parents/guardians must be contacted by the area and asked to collect the student. If the student stays in Group accommodation, the appropriate Accommodation team member and Duty Safeguarding Officer will need to be notified. They will take appropriate action to ensure the safety of the student. Depending on the seriousness of the incident the Police may be called.
- 5.3. The Group's Student Referral Procedure will be put into action at an appropriate time with the student involved and relevant staff members.
- 5.4. If staff have reasonable suspicion or find any students with either an illegal substance, alcohol and/or drug paraphernalia or weapon on their person, in accordance to the 'Misuse of Drugs Act 1971', the following needs to take place:
  - 5.4.1. Inform the Head of Learning/Teaching and Learning Manager, CCSO, Duty Safeguarding Officer, who will decide if a search is required. If a search is required, follow the search process found in Annex A.

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## 6. College Accommodation

- 6.1. Signed prior to occupancy, contracts and terms and conditions covering all Group accommodation make it clear that if any illegal substances, as described in point 3.2 of this Policy, are found on the premises, or if students are suspected of being in possession of related paraphernalia, or under the influence of illegal/psychoactive substances, as described in 3.7 of this Policy, or are found to be in possession of a weapon as described in 3.10 of this Policy, Annex A of this Policy will be invoked (weekends and after 5pm, the Duty Supervisor, along with a second member of the accommodation team will be responsible for confiscating any items and safeguarding them until handing over to the safeguarding team); termination of the residency agreement may take place. This would be through the Group's Student Referral Procedure. This relates to all students regardless of age. The Police will be called if appropriate. The On Call member of staff must be contacted and informed and will inform parents/guardians/agent if the student is under 18.
- 6.2. Residents, over 18, in any Group accommodation, on or off the Group's premises, are permitted to have alcohol in their possession.
- 6.3. Host families should contact the appropriate member of the Accommodation team if it is felt a student, under 18, has alcohol and/or illegal substances, as described in point 3.2 of this Policy, psychoactive substances, as described in point 3.7 of this Policy, related paraphernalia on their person or in their room, or be in possession of a weapon as described in 3.10 of this Policy. The Accommodation team will then follow the procedures under 6.1 of this Policy. The Police will be called if appropriate.
- 6.4. Host families should contact the appropriate member of the Accommodation team if it is felt a student, over 18, has illegal substances as described in point 3.2 of this Policy, psychoactive substances, as described in 3.7 of this Policy, or related paraphernalia on their person or in their room. The Accommodation team will then follow the procedures under 6.1 of this Policy. The Police will be called if appropriate.
- 6.5. Hall Supervisors have the authority to conduct a room search, which is in line with Section 85AA of the Further and Higher Education Act 1992.

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## 7. Possession of Weapons - Legislation

The following legislation relates to the College's ability to search for weapons:

Education and Inspections Act 2006 Section 165(Power of members of staff of FE institutions to use force), which inserts section 85C into the Further and Higher Education Act 1992 (C.13).

Violent Crime Reduction Act 2006 Section 46 authorises a Principal or a member of staff authorised by him or her, to search students at a Further Education institution for a weapon if that person has reasonable grounds for suspecting that there is a weapon with the student or in his/her possession. Persons authorised by a principal to search for weapons may use such force as is reasonable in the circumstances for exercising that power.

## 8. Consequences

Following a breach or suspected breach, on reasonable grounds, under the provision of either the Misuse of Drugs Act (1971) or Health and Safety at Work Act (1974) the following procedure will apply:

- Invoking Stage 4 of the Student Referral Process
- Possible exclusion until the Stage 4 meeting
- Parent/Guardian to be informed if student is under 18 years old
- Police may be informed

8.1. Following the Stage 4 meeting, one or more of the following actions will be taken:

- Set targets to remain in college
- Support from Internal College services
- Referral to the Counselling or Wellbeing teams
- Referral to appropriate external agency
- Stage 4 review
- Possible exclusion

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## 9. Status of Policy

This policy has been approved by the Group Leadership Team.

This Policy has been impact assessed to ensure that it does not adversely affect staff or students on the grounds of their disability, gender, or race.

The operation of this Policy will be kept under review by the Executive Principal. It may be reviewed and varied from time to time by the Safeguarding and Prevent Board and approved by the Group Leadership

|                      |                       |
|----------------------|-----------------------|
| Date Approved:       | September 2023        |
| Approved by:         | Group Leadership Team |
| Implementation Date: | September 2023        |
| Date for Review:     | September 2024        |

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## Annex A - Student Search Record

| Student Search Record  |         |
|--|---------|
| Date:  | Time:   |
| Location: (including room number if Halls of Residence)  |         |
| Name(s) of staff involved in search:   |         |
| Details of student (s) who are being searched:<br>Student agreed to voluntary search <input type="checkbox"/><br>Student refused voluntary search <input type="checkbox"/>   |         |
| Student ID No:   | Course: |
| Reason for search:<br>Suspicion of use of drugs/alcohol <input type="checkbox"/><br>Suspicion of being in possession of a weapon <input type="checkbox"/><br>Suspicion of being in possession of stolen items <input type="checkbox"/><br>Suspicion of being in possession of pornographic images <input type="checkbox"/><br>Suspicion of being in possession of drugs/alcohol <input type="checkbox"/> |         |
| Details of suspicion: (description of what has led to the search)  |         |
| Details of what was found:   |         |
| Date and time given to Safeguarding team:  |         |
| Signature(s) of staff involved:  |         |
| Student Signature  |         |
| Parent/Guardian/agent contacted<br>Yes <input type="checkbox"/><br>No <input type="checkbox"/>   |         |

When completed send this form to the safeguarding drop box on the site the search took place and complete a S3 form for the student/s involved.

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**Prompts for Student Search:**

Searches are used for prohibited items as defined in subsection (3) of Section 550ZA of the Education Act 1996.

These include:

- Knives and weapons
- Alcohol
- Illegal drugs
- Stolen items
- Pornographic images
- Any item that the member of staff reasonably suspect has been or is likely to be used to commit an offence or to cause person injury to, or to damage property.

**Before a Search:**

Consider if there are reasonable grounds for suspecting that the student is in possession of a prohibited item.

The authorised member of staff conducting the search must explain to the student the reason they are being searched, how and where the search is going to take place and give them the opportunity to ask any questions. The student must be told if the member of staff is wearing a body cam.

The authorised member of staff should always seek co-operation of the student before conducting a search. If the student refuses the member of staff should explain the next steps. Parents/Guardian will be contacted and, in the case, where there is a suspicion of being in possession of a weapon the police. If the suspicion is that the student is under the influence of drugs or alcohol, they will be asked to leave the premises and Parent/Guardian will be contacted.

**During a Search:**

The member of staff conducting the search must be of the same sex as the student being searched. The exception to this rule only occurs if the member of staff conducting the search reasonably believes there is risk that serious harm will be caused to a person if the search is not carried out as a matter of urgency.

If the student identifies as Transgender or Non-binary, they should be asked which staff gender they want to conduct the search.

There must be a second member of staff present to witness the search.

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An appropriate location must be found to do the search - away from other students but on the college premises or where the member of staff has lawful control or charge of the pupil, for example on a school trip.

Ask the student to voluntarily hand over the item(s).

Ask the student if they have any other possessions on them

The student can only be required to remove outer clothing - i.e., clothing not worn next to the skin or immediately over underwear, but the staff member can require the student to remove a hat, gloves, scarf, or shoes.

The member of staff may conduct a voluntary search of the students' possessions such as their bag or locker.

Where possible a parent/guardian should be informed of the search before it is undertaken.

#### **After a Search:**

The Student Search Record form must be completed and sent to the appropriate safeguarding drop box email address. This must be completed whether any items have been found or not. S3 to be completed for the student/s involved.

Any items that have been confiscated must be handed over to the safeguarding team at the earliest opportunity who will hand over to the police as soon as is reasonably practicable.

The safeguarding team will upload the record onto the students record on Safeguard system.

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## Annex B - Information to support policy

### Misuse of Drugs Act 1971/ Health & Safety Regulations/Police involvement

1. Under the Misuse of Drugs Act (1971) it is an offence:
  - a) for a person to possess, use, supply or produce controlled drugs\* without authorisation
  - b) for an employer to allow controlled drugs\* to be possessed, used, supplied, or produced on its premises without authorisation

#### \*Examples:

- Class A Heroin(diamorphine), methadone, cocaine (including crack) LSD, ecstasy (MDMA), magic mushrooms, Crystal Meth or Amphetamine (a Class B drug if injected)
- Class B Amphetamines (speed), Ketamine, barbiturates, codeine, cannabis (herbal, resin, or oil) and would also cover some Synthetic Cannabis, such as Spice
- Class C Any prescription drug a person has in their possession if not authorised to have; this includes, but is not limited to drugs such as Valium, Xanax (zanies)

- 1.1. Authorisation includes the case where a doctor prescribes a drug for treatment of a medical condition.
- 1.2. Substance misuse is interpreted to include alcohol misuse that leads to a change in behaviour or performance.
- 1.3. Chichester College Group (hereafter referred to as the Group) believes that in addition to its legal duty of control, it has responsibility for the education and care of its staff and students in respect of drug and/or substance use and/or misuse.
- 1.4. Section 2 of the Health and Safety at Work Act (1974) requires the Group to ensure, as far as is reasonably practicable, the health, safety, and welfare of all its staff and students. Section 7 of the Act requires that members of the Group take reasonable care of the health and safety of themselves and others who may be affected by their acts or omissions.

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1.5. Group premises include off-main campus premises deemed to be under the Group's jurisdiction.

#### 1.6. The Police

The Group does not have a legal duty to inform the police, the legal duty being to prevent the possession, consumption, supply, or manufacture of controlled drugs (or concerned in any of these activities) without authorisation from continuing on its premises. However, it is an offence, against section 326 of the Crimes Act 1958, if a person accepts a benefit for not disclosing information about a serious crime

The Group does have the option to inform the Police and give consent for them to enter the Group's campuses and any building to search for evidence

The police can legally enter and search without consent in certain situations including:

- a) to execute a warrant
- b) to effect an arrest, which can follow possession or supply of controlled drugs offences
- c) to search following an arrest
- d) to prevent a breach of the peace

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