

# Smoking, alcohol and misuse of drugs and substances policy

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This is the policy on smoking, alcohol and the misuse of drugs and substances of Cranleigh School (the **School**).

## AIMS

The aims of this policy are as follows:

- To promote safety, welfare and good physical and mental health;
- To increase understanding about the implications and possible consequences of use and misuse of tobacco, alcohol, drugs and substances;
- To prevent smoking and the misuse of tobacco, alcohol, drugs and substances in and out of the School;
- To reduce the risk of alcohol, drug and substance induced misconduct in and out of the School;
- To maintain a smoke-free environment and keep unauthorised tobacco, alcohol, drugs and substances out of the School.
- To actively promote fundamental British values and the rule of law.

## SCOPE AND APPLICATION

This policy applies to the whole School and to all pupils at the School and at all times when a pupil is:

- In or at School;
- Representing the School or wearing School uniform;
- Travelling to or from School;
- On School-organised trips;
- Associated with the School at any time.

This policy shall also apply to pupils at all times and in all places in circumstances where failing to apply this policy may:

- Affect the health, safety or well-being of a member of the School community or a member of the public;
- Have repercussions for the orderly running of the School; or
- Bring the School into disrepute.

This policy applies to the:

- Possession;
- Use/consumption;
- Supply and/or sharing (whether or not for money or other consideration) or facilitation of supply (which includes promotion/advertisement of supply or sharing) of tobacco, alcohol, drugs and substances (as defined below), whether or not the activity may constitute a criminal offence.

## REGULATORY FRAMEWORK

This policy has been prepared to meet the School's responsibilities under the:

- Education (Independent School Standards) Regulations 2014;
- *Boarding schools: national minimum standards* (Department for Education (**DfE**), September 2022);
- Education and Skills Act 2008;
- Children Act 1989;
- Childcare Act 2006;
- Data Protection Act 2018 and General Data Protection Regulation (**GDPR**);

- Equality Act 2010; and
- Smoke-free (Premises and Enforcement) Regulations 2006.

This policy has regard to the following guidance and advice:

- Testing for substance misuse in schools (Medical Officers of Schools Association, June 2020);
- DfE and ACPO drug advice for schools (Department for Education and Association of Chief Police Officers, September 2012);
- Searching, screening and confiscation: advice for schools (DfE, July 2022); and
- Drug penalties guidance (Gov.uk).

The following School policies, procedures and resource materials are relevant to this policy:

- Behaviour and discipline policy;
- Expulsion and removal: review procedure;
- Child protection and safeguarding policy and procedures;
- School Conventions;
- Parent contract.

## PUBLICATION AND AVAILABILITY

This policy is published on the School website and is available in hard copy on request. The policy can be made available in large print or another accessible format if required.

## DEFINITIONS

Where the following words or phrases are used in this policy:

- References to the **Proprietor** are references to the Board of Governors.
- **Alcohol** means intoxicating liquor of all descriptions (including beer, cider, wine and spirits).
- **Biological sample** means a sample of breath, saliva, hair or urine provided by a pupil in accordance with the procedures set out in this policy.
- **Drugs and substances:** for the purposes of this policy these terms mean controlled drugs; psychoactive substances; substances intended to resemble drugs and/or the paraphernalia of drugs; "legal" drugs, such as (without limitation) any equipment, product or accessory intended or modified for making, using or concealing drugs i.e. those which can be obtained from a chemist shop; performance-enhancing drugs; anabolic steroids; cannabis used for consumption in solid or liquid form, known as 'edibles'; glue and other substances held or supplied in each case for purposes of inhalation or Misuse.
- **Tobacco** means any tobacco-related product and/or paraphernalia, including cigarettes, cigars and pipes, nicotine pouches ('snus'), and any other smoking-related products such as tobacco and cigarette papers, nicotine and nicotine substitutes, e-liquids, electronic cigarettes, cig-a-likes and vaporising devices.
- **Smoking** means smoking tobacco or anything containing tobacco, or smoking any other substance in a form in which it could be smoked. For the purpose of this policy, smoking also refers to the smoking or vaping of e-cigarettes, cig-a-likes, or electronic vaporisers.
- **Use** means the taking/consumption of tobacco, alcohol, drugs or substances.
- **Misuse** means the unauthorised taking/consumption of tobacco, alcohol, drugs or substance through which harm could occur and/or is in breach of the school rules and/or the law.
- **Substance abuse** means alcohol consumption or drug/substance taking which harms health and may be part of a wider spectrum of problematic or harmful behaviour.

## RESPONSIBILITY STATEMENT AND ALLOCATION OF TASKS

The Proprietor has overall responsibility for all matters which are the subject of this policy. To ensure the efficient discharge of its responsibilities under this policy, the Proprietor has allocated the following tasks:

Task	Allocated to	When / frequency of review
Keeping the policy up to date and compliant with the law and best practice	Deputy Head	As required, and at least annually
Monitoring the implementation of the policy, relevant risk assessments and any action taken in response and evaluating effectiveness	Deputy Head	As required, and at least annually
Maintaining up to date records of all information created in relation to the policy and its implementation as required by the GDPR	Deputy Head	As required, and at least annually
Seeking input from interested groups (such as pupils, staff, parents) to consider improvements to the School's processes under the policy	Deputy Head	As required, and at least annually
Formal annual review	Proprietor	Annually

## SMOKING POLICY

The School operates a smoke free policy and a total smoking ban within its buildings and vehicles. The smoking ban applies to the whole School community including pupils, employees, volunteers, parents, visitors, members of the public and others working in or using the School's premises or vehicles and the circumstances set out in paragraph 2 of this policy.

## CLARITY TO SCHOOL CONVENTIONS

Pupils are forbidden from:

- Smoking inside or outside School premises, being in possession of tobacco while in the care of the School or supplying tobacco to other pupils;
- Bringing alcohol onto School premises or being in unsupervised possession of alcohol without prior consent or obtaining or supplying alcohol to another, or being impaired by alcohol while on School premises or in the care of the School;
- Any production, possession, use or supply of drugs and substances;
- Bringing the School into disrepute for any reason associated with tobacco, alcohol or drugs and substances, whether or not the pupil is in the care of the School at the relevant time.

## **PARENTS**

If a parent attending School premises appears to be under the influence of alcohol, drugs or substances, 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.

- If a member of staff suspects that a parent has driven or will drive whilst under the influence of alcohol, drugs or substances, the member of staff should report the matter to the Designated Safeguarding Lead or a member of the senior management team, who may telephone the police.
- If the Designated Safeguarding Lead reasonably believes that a child is at immediate risk of harm from a parent who is under the influence of alcohol, drugs or substances, the child will not be released into the care of the parent and the School's child protection procedures will be followed.

## **EDUCATION AND PASTORAL CARE**

The School educates pupils to understand:

- The effect and risks associated with the use of alcohol, tobacco, drugs and substances in relation to their health and well-being and the law; and
- Possible criminal offences relating to their use.

The School educates pupils about these issues through its PSHE curriculum, by means of personal development courses, by example and by discussion.

The School encourages pupils to discuss in confidence any anxieties they may have about use of tobacco, alcohol, drugs and substances whether personally or in relation to member(s) of the School community, with a member of staff or the School counsellor.

The School is alert to the potential need for early help for a child who misuses drugs or alcohol. A member of staff who has any concern about a pupil's welfare, or considers that a pupil may benefit from early help, should report this to the Designated Safeguarding Lead in accordance with the School's child protection and safeguarding policy and procedures.

The School will take a zero tolerance approach to the misuse of drugs and substances in School and/or in School time and will deal with such breaches in accordance with the rules set out in this policy, the School Conventions and the School's behaviour and discipline policy.

However, a pupil wishing to seek help for use outside school will be supported by the school and appropriate steps taken to help them avoid future use. This will normally include a testing regime. The same approach will be taken for a concerned friend or parent seeking help on another student's behalf for use outside school.

Parents themselves are asked to inform the Head or Deputy Head if they have any reason to think that their son/daughter or one of their children's peers may have been involved with drugs, so that suitable advice, support and assistance can be given.

In the event of disclosure of drug misuse (whether by a pupil themselves or by someone on their behalf), each case will be given careful consideration in light of its individual circumstances. The Head will make a decision as to whether or not the School's disciplinary procedure is to be followed or, as an alternative (and usually only when the drug Misuse occurs outside the remit of this policy), to request that the pupil submits to a supportive regime which may include counselling, re-education and further testing at frequencies determined by the Head.

## **RISK ASSESSMENT**

Where a concern about a pupil's welfare is identified, the risks to that pupil's welfare will be assessed and appropriate action will be taken to reduce the risks identified.

The format of risk assessment may vary and may be included as part of the School's overall response to a welfare issue, including the use of individual pupil welfare plans (such as behaviour, healthcare and education plans, as appropriate). Regardless of the form used, the School's approach to promoting pupil welfare will be systematic and pupil focused.

The Deputy Head (Pastoral) has overall responsibility for ensuring that matters which affect pupil welfare are adequately risk assessed and for ensuring that the relevant findings are implemented, monitored and evaluated.

## **INVESTIGATION**

- Every complaint, allegation or rumour or observation of pupil behaviour in relation to tobacco or alcohol or involvement with drugs and substances will be followed up and investigated in accordance with this policy and the procedures set out in the School's behaviour and discipline policy.
- If the findings of an investigation support the allegation, complaint or rumour or observation of pupil behaviour, a disciplinary meeting will usually be held, in accordance with the procedures set out in Appendix 3 of the School's behaviour and discipline policy.

## **SEARCHES FOR TOBACCO, ALCOHOL, DRUGS AND SUBSTANCES**

School staff can search a pupil for tobacco, alcohol, drugs or substances with his/her consent. The member of staff will consider the pupil's age and other factors when determining whether the pupil is capable of giving his/her consent.

- A pupil may be searched without his/her consent for tobacco, alcohol, drugs or substances in accordance with the School's policy on searching and confiscation (see the procedures set out in Appendix 4 of the School's behaviour and discipline policy).

## **TESTING**

A pupil reasonably suspected of unauthorised consumption of alcohol or involvement with drugs or substances may be asked to give biological samples. The reason for this policy is to:

- (a) deter breaches of School discipline;
- (b) identify users;
- (c) absolve those who have been wrongly suspected.

### **Alcohol**

- See Appendix 1 for details of the testing procedure for alcohol.

### **Drugs and substances**

- See Appendix 2 for details of the testing procedure for drugs and substances.

Although tests are not infallible, the School will treat a positive test as evidence that the pupil is likely to have consumed alcohol or been using drugs or substances, as appropriate.

### **Consent to testing**

- The relevant consent to a test is that of the pupil rather than their parent(s), even if the pupil is under 16 years of age, provided that they are of sufficient maturity and understanding and give their informed consent in writing. Where the pupil is not deemed to have sufficient maturity or understanding or to be fit to give informed consent themselves, then consent will be sought from a parent and/or appropriate member of staff or medical expert instead.
- 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 a medically qualified member of staff.
- If a pupil refuses to provide a biological sample they will be asked to say why they have refused. The School will be entitled to draw inferences from their response and general demeanour. If a parent's consent is required and they refuse to consent to their child providing a biological sample, the School may draw inferences from the pupil's general demeanour.
- Reasonable endeavours will be made, before a biological sample is taken, to notify a parent, guardian or education guardian of the requirement for a biological sample and the reasons for that requirement.

## POLICE INVOLVEMENT

As a Charity, the School must notify the police and/or relevant agencies of actual or alleged criminal activity. If the School suspects that a criminal offence has taken place in relation to the possession, use or supply of alcohol, drugs or substances, then consideration will be given to reporting this to the police and the relevant local authority.

If the police suspect that a pupil possesses or has stored drugs, substances or related paraphernalia, they may elect to investigate using their own procedures or may pass the matter back to the School to investigate.

If the School seizes a controlled drug, the drug may be destroyed if there is good reason to do so. Otherwise the School will deliver it to the police as soon as reasonably practicable.

The School will retain, dispose or destroy tobacco, alcohol, drugs, smoking equipment and other substances in accordance with the law and recommendations set out in *Searching, screening and confiscation: advice for schools* (DfE, July 2022).

## SANCTIONS

Where a pupil breaches any of the School rules set out in this policy, the Proprietor has authorised the Head to apply any sanction which is appropriate and proportionate to the breach in accordance with the School's behaviour and discipline policy. In addition, consideration will be given to appropriate support for the pupil.

The following guidelines as to sanctions will apply:

- **Tobacco and alcohol:** Sanctions will be applied in accordance with the School's behaviour and discipline policy. For a serious breach or persistent breaches, a pupil may be expelled or removed from the School.
- **Drugs:** Anyone producing or supplying drugs or substances should expect to be expelled even if they are about to sit public examinations. Anyone possessing or using drugs should also expect to be expelled in accordance with the School's behaviour and discipline policy.

## TRAINING

The School ensures that regular guidance and training is arranged on induction and at regular intervals thereafter so that staff and volunteers are alert to the warning signs of drug misuse, understand what is expected of them by this policy and have the necessary knowledge and skills to carry out their roles and to respond appropriately when pupils seek advice or assistance.

The level and frequency of training depends on the role of the individual member of staff. The School maintains records of all staff training.

## **RECORD KEEPING**

All records created in accordance with this policy are managed in accordance with the School's policies that apply to the retention and destruction of records.

Sensitive personal information about pupils is disclosed only on a "need to know" basis with careful attention to pupils' rights and needs.

The records created in accordance with this policy may contain personal data. The School has a number of privacy notices which explain how the School will use personal data about pupils and parents. The privacy notices are published on the School's website. In addition, staff must ensure that they follow the School's data protection policies and procedures when handling personal data created in connection with this policy. This includes the School's data protection policy and information security policy.

## APPENDIX 1

### TESTING FOR ALCOHOL

- 1 **Method of use:** Only members of staff who have received training will be authorised to administer the breathalyser. In general, they will be members of the Senior Management Team.
- 2 **Refusal:** If a pupil refuses to provide a sample of breath, they may be asked to supply, under medical supervision, a further biological sample for analysis in accordance with the drug testing procedures (see Appendix 2).
- 3 **Record:** A written record will be kept when a pupil is asked to take a test and its outcome will be recorded.

## APPENDIX 2

### TESTING FOR DRUGS AND SUBSTANCES

1. **Biological sample:** If there is reason to suspect that a pupil has been involved with drugs and/or substances, they may be asked to supply, under medical supervision, a biological sample (e.g. saliva, hair or urine) for analysis.
2. **Medical supervision:** The biological sample will be taken under supervision. All due care will be taken to respect the pupil's privacy and human rights.
3. **Testing procedures:** These will be in accordance with standard good practice and where applicable the *Testing for substance misuse in schools* (June 2020) produced by the Medical Officers in Schools Association (**MOSA**):
  - 3.1. Care will be taken to make as certain as possible that the sample provided is genuine and uncontaminated;
  - 3.2. The pupil will be asked to sign various seals and documents which confirm that the specimens are theirs;
  - 3.3. The pupil will also be asked to sign a form which signifies that they are satisfied with the collection procedure and give consent for the results of the test being made available to the Head.
4. **Medical record:** The outcome of the test, whether positive or negative, will not form part of the pupil's permanent medical record.
5. **Outcome:** When the School receives the laboratory report:
  - 5.1. Reasonable attempts will be made to notify the pupil and a parent;
  - 5.2. If the result is negative, any second sample will be destroyed immediately;
  - 5.3. If the result is positive, a second sample will be made available for independent analysis.

**APPENDIX 3**

**DECLARATION OF PARENTS/GUARDIAN/EDUCATION GUARDIAN**

I/We the undersigned have read the School's policy on smoking, alcohol, drugs and substances, and this Appendix. For my/our part, I/we accept the Head's offer of a supportive regime for the above named pupil.

I/We undertake to co-operate with the regime in all respects and to pay the laboratory charges for each test.

<b>Signed</b>	
<b>Full name</b>	
<b>Relationship to pupil</b>	
<b>Date</b>	

<b>Signed</b>	
<b>Full name</b>	
<b>Relationship to pupil</b>	
<b>Date</b>	