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Policy on Drugs, Alcohol and Smoking

The following policy is made available to staff, both teaching and support, pupils and parents.

Drugs, Alcohol and Smoking

General Policy

College regulations state: Certain activities are forbidden at the College. These include: smoking, using drugs, drugs including psychoactive substances (previously referred to as 'legal highs'), e-cigarettes, any other product containing nicotine, gambling and drinking alcohol, with the exception of drinking in the Senior School Club by those entitled to do so at the times permitted. Smoking (which includes "vaping") inside College buildings is considered an extreme breach of College regulations. Being with anyone breaking these rules is also a serious breach of College discipline. The possession and/or supply of materials associated with these forbidden activities are extreme breaches of College regulations.

Denstone College is committed to the health and safety of its members and will take action to safeguard their well-being.

Denstone College will tolerate neither the misuse of drugs, alcohol or cigarettes and e-cigarettes or related products by members of the College, nor the supply of these substances. Key terms are clarified below:

- **Possession** means any items over which the pupil has or appears to have control – this includes clothing, desks, lockers and bags.
- **Supply** means providing or sharing (whether or not for money or other consideration) or facilitation of supply e.g. sale, exchange or sharing. It also includes the promotion / advertisement of supply.
- **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 College regulations and / or the law.

Denstone College acknowledges the importance of its pastoral role in the welfare of young people and through formal education and the College's general ethos. It will seek to provide the support pupils need to avoid the problems of substance abuse. This policy should be read alongside the College's Policies on Behaviour, Discipline

and Exclusion, Searching Pupils, Restraint, as well as any other relevant policies, procedures or documents.

Drugs

Drugs', for the purposes of this policy, means controlled drugs; substances intended to resemble drugs and/or the paraphernalia of drugs, such as (without limitation) any equipment, product or accessory intended or modified for making, using or concealing drugs (this includes equipment used for vaping); "legal" drugs i.e. those which can be obtained from a shop (including online); performance-enhancing drugs; anabolic steroids; glue, other solvents or aerosols; cannabinoids (including CBD); substances having an intoxicating, and/or stimulating and/or hallucinogenic effect, such as THC; novel psychoactive substances; and all other substances held or supplied in each case for purposes of misuse. The possession, use and/or supply of any such products is against College rules and students who do so can expect to forfeit their place at the College.

Policy Aims

Denstone College believes and supports the following educational aims in respect of drugs and substances use and misuse:

- To provide accurate information about substances.
- To increase understanding about the implications and possible consequences of use and misuse.
- To enable pupils to make healthy, informed choices by increasing knowledge, challenging attitudes and developing and practising decision-making skills.
- To widen understanding about related health and social issues.
- To enable young people to identify sources of appropriate personal support.

These aims are fulfilled through the Wellbeing (PSHE) programme, and pastoral care, help and advice are always available from staff and the Health and Wellbeing Centre. The College actively co-operates with other agencies such as the local Police and Social Services to deliver its commitment to drugs education and to deal with incidents of substance use and misuse. The policy will be reviewed regularly and in the light of any drug related incidents.

There will be no random tests of pupils for drug abuse. However, if there is reason to suspect that a particular pupil has been misusing drugs, the Head reserves the right to authorise a Drugs test.

Investigation

The College will investigate any rumour about involvement with drugs or substances. The investigation may involve segregating a pupil; asking him/her questions; asking him/her to give a written account of circumstances; searching his/her room or personal belongings; taking possession of property for analysis; and asking the pupil to provide a saliva sample under appropriate supervision. Investigations will be conducted fairly and in accordance with natural justice. Interviews will normally be carried out by the Head or a senior member of staff as delegated by her.

The pupil should be accompanied at interview by a member of staff. Parents will be kept informed so far as is practicable. Sources of information will not normally be disclosed.

Testing Policy

A test will only be required following consultation between relevant pastoral staff and the Head, or in the absence of the latter, the Deputy Head Pastoral or Deputy Head (Pupils). Wherever possible a pupil's parents will be informed by telephone before a test is conducted.

The following procedure will be adopted in such circumstances:

- In the first instant the medical team will try to ascertain what substance has allegedly been taken to consider whether the UK Drug testing ALLTEST 11 Panel Saliva Railside Drug And Alcohol Testing Kit DSD-8117/Railside is suitable for screening purpose.
- If suitable, the medical centre will carry out a drug test ALLTEST 11 Panel Saliva Railside Drug And Alcohol Testing Kit DSD-8117/Railside kit supplied by UK Drug testing.(See Appendix 3) This test will screen the saliva sample for a range of different substances and will give a result in a matter of minutes.
- If it is unclear what substance may have been taken or if the UK Drug testing ALLTEST 11 Panel Saliva Railside Drug And Alcohol Testing Kit DSD-8117/Railside kit is not suitable, then one saliva samples will be collected using recognised procedures to ensure that the samples are genuine and not interfered with in any way between the donor and the testing laboratory. This sample will then be forwarded to UK Drug testing for analysis in their laboratory at the College's expense.
- In the event that a pupil should provide a positive drug test using the UK Drug testing ALLTEST 11 Panel Saliva Railside Drug And Alcohol Testing Kit DSD-8117/Railside kit, they will then be offered a second saliva test using the return to laboratory saliva tests again supplied by UK Drug testing at the Parent's expense.
- The written consent of the pupil will be obtained before the samples are collected, and parents will be informed as soon as is possible. In order to obtain consent, the pupils will first be assessed to be Gillick competent to ensure that the pupil is of sufficient maturity and understanding to give their informed consent in writing. In cases where the pupil is not considered to be Gillick competent, consent should be sought from a parent instead (see Appendix 1)
- The results of the tests will be communicated to the Head, who will exercise her discretion over the action then to be taken regarding the pupil's future.

The Saliva Testing Policy is designed to be constructive and to support those pupils most at risk from drug taking, to dispel ill-founded suspicion of drug taking and to act

as a general and efficient deterrent. As a college we recognise that teenagers can be vulnerable to drug abuse when the brain and body are still developing and can lead to a wide range of adverse effects on the brain, body, behaviour and health. Substance abuse use can create challenges which impact on every aspect of an individual's life, potentially leading to health issues and affecting life both at home and at school. The drugs sanction policy allows the College to exercise clemency where it is merited, or give support and advice to those who need it. The primary purpose of drug testing is not to punish students but to prevent drug abuse and to help students to become drug free and from developing a drug problem. It aims to encourage honesty and in certain circumstances to allow a pupil to recognise that he or she has made a grave mistake and to strive to make amends for it within the College.

Sanctions

- Any pupils selling or distributing drugs or psychoactive substances (previously referred to as 'legal highs') or otherwise actively encouraging their possession or consumption can expect to be expelled in line with the policy on Permanent Exclusion*.
- Anyone caught possessing or consuming illegal drugs or psychoactive substances (previously referred to as 'legal highs') while under the College's jurisdiction in term time loses any right to continued membership of the College and must expect expulsion to be a very strong possibility.
- The Head has a duty to contact the Police about the possession, consumption or supply of an illegal drug, since it constitutes a criminal offence.
- If the only firm evidence that a pupil has been involved with drugs is a positive urine test, he or she may be allowed to stay provided that he or she
 - a) gives a written assurance to the Head and to his/her parents that he/she will not become involved with illegal drugs again;
 - b) agrees to undergo the urine tests at various times during his/her remaining school career. (See Appendix 2)

The same undertakings will also be required of any pupils who may be allowed back after an offence because of mitigating circumstances. Any subsequent offence involving illegal drugs or New Psychoactive Substances (NPS offence) will result in expulsion.

Parents of pupils who have been involved in an illegal drugs or a psychoactive substances (previously referred to as 'legal highs') related incident and have been allowed back to College on condition of parental consent to testing will be charged for tests according to the Consent Form.

College regulations also state "a disregard for the law of the land or the reputation of the College is considered a breach of College rules." This can be interpreted to cover holidays and exeats.

* Extract from the Policy on College Discipline & Policy on Exclusion.

***Permanent Exclusion** is used as a final option if there is a serious breach of College regulations following a written final warning or if the breach of regulations is considered serious enough to move immediately to that level.*

Exclusions are decided on by the Head in consultation with senior staff as required such as the Deputy Head Pastoral, Deputy Head(Pupils) and a pupil's Head of House or Head of School or Head of Hartley House/North House/South House/Moss Moor. In addition, permanent exclusion would be discussed with the Chair of Governors.

Parents have the right to appeal as detailed in the parents' complaints procedure.

Alcohol Policy

College regulations state that pupils are forbidden from drinking alcohol at the College "... with the exception of drinking in the Senior School Club by those entitled to do so at the times permitted" and for Senior School pupils only at social events (see below).

The misuse of alcohol or its illegal purchasing and/or supply will not be tolerated.

Alcoholic drinks must not be brought into College by pupils.

Action will be taken to promote and maintain the health and safety of members of the College.

Pupils will receive information and guidance concerning health, safety and social issues with regard to alcohol. This is available through the PSHE programme, from the College's medical staff and as part of pastoral support.

Social Events

It is important that social events where alcohol is available are carefully monitored by staff. Pupils in the 5th form or below must not drink alcohol at any College social event (e.g. House dinners, College barbecues, House social evenings, Sports events) unless exceptional circumstances have been sanctioned by the Head in advance. Senior School pupils are permitted to drink normal strength, lagers, ciders or wine (i.e. not with a high alcohol content and excluding fortified wine) under the supervision of the member of staff responsible for the event. Pupils will be provided with a maximum of two alcoholic drinks at such an event with a meal. College policy on alcohol and social events must be made clear to pupils prior to and if necessary during the event by the organiser. Pupils are forbidden from drinking spirits.

If parents are present at social events, the above policy should be made clear to them when the event is publicised in order to avoid conflicting standards becoming a problem.

Public Houses & Shops

Pupils must abide by the law as well as College regulations. No pupil under the age of 18 may purchase or drink alcohol. U6th boarding pupils may ask the permission of the Head of the North House or the Head of Moss Moor to visit a pub. On these occasions if those aged 18 or over consume alcoholic drinks it must be no more than two glasses of normal strength, lagers, ciders or wine (i.e. not with a high alcohol content and excluding fortified wine). Those under 18 may attend if they have parental consent and the permission of the Head of North House or the Head of Moss Moor, but must not drink alcohol.

Shops or Public Houses known to have sold alcohol to pupils under the age of 18 will be contacted by the College and the police will usually be informed.

Investigation

The College will investigate any rumour about involvement with consumption of alcohol on site or on school trips. The investigation may involve segregating a pupil; asking him/her questions; asking him/her to give a written account of circumstances; searching his/her room or personal belongings; taking possession of property for analysis; breathalysing the pupil under the supervision of senior member of staff. Investigations will be conducted fairly and in accordance with natural justice. Interviews will normally be carried out by the Head or a senior member of staff as delegated by her.

Testing Policy

A test will only be required following consultation between relevant pastoral staff and the Head, or in the absence of the latter, the Deputy Head Pastoral or Deputy Head Pupils. Wherever possible a pupil's parents will be informed by telephone before a test is conducted.

Alcohol Related Offences

Bringing alcohol into College, unauthorised alcohol consumption, drinking to excess, supplying alcohol to other members of the College, being with others drinking alcohol and concealing knowledge of other pupils' drinking are all considered serious breaches of College discipline. In addition, pupils are not permitted to possess empty alcohol vessels such as bottles or cans at the College; those vessels supplied at official functions as described above and/or in the Senior School Club will be disposed of once empty. Empty vessels found in the private possession of pupils will be considered to have been consumed in an unauthorised manner in the College and appropriate sanctions applied.

Sanctions

Each case will be considered on its own merits but as a general rule the consumption of spirits and/or intoxication which may be associated with anti-social behaviour will be deemed particularly serious breaches of discipline. An Extended detention will be issued, as a minimum sanction. Pupils will be required to study and make notes from educational literature. Parents and/or guardians will be informed. Subsequent offences may result in an extension of the above sanctions, or suspension from College, and in extreme cases expulsion.

Smoking Policy

College regulations state: "Smoking... (is) forbidden. Smoking (which includes "vaping") inside College buildings is considered an extreme breach of College regulations. Being with anyone breaking these rules is also a serious breach of College discipline."

College regulations apply whenever pupils are in the care of the College, including school visits, social occasions etc. Pupils must abide by the law as well as College regulations. No pupil under the age of 18 may purchase tobacco products or e-cigarettes and related products.

There are serious health risks associated with smoking. This policy and the College's approach to the issue aim to encourage an educated, informed understanding of the problems connected with smoking. The Wellbeing (PSHE) programme, nursing and other pastoral staff all help fulfil these aims.

It is understood that some pupils already smoke regularly before their arrival at the College. Some parents and institutions may have a more liberal approach. College policy however is based on medical evidence as well as social considerations. In these cases, the usual sanctions combined with support in giving up will apply.

Sanctions

Staff finding pupils smoking cigarettes or e-cigarettes will report this to the Deputy Head (Pupils) and the pupil's Head of House and Head of Hartley House/North House/South House/Moss Moor. As above, e-cigarettes/vaping equipment are considered to be drugs paraphernalia and will be investigated as such.

Once investigated, the minimum sanction that will be issued for smoking cigarettes or e-cigarettes is an Extended Detention and Deputy Head's duties. Pupils will be required to study and make notes from educational literature. Parents and/or guardians will be informed. On subsequent occasions stronger sanctions will be employed. Continued abuse of the smoking/vaping regulations may result in suspension or even in the pupil concerned being required to leave the College.

Pupils who are under the influence of alcohol or drugs during the day can expect to be sent home or to their guardians. This also applies during boarding hours. This is at the discretion of Deputy Head Pupils or the Head of Boarding. If the Deputy Head Pupils or the Head of Boarding is not available then the head of the relevant boarding house is to make the decision whether the student should go home or not.

Support

Advice and support concerning strategies for giving up smoking/vaping are available from College nursing staff. In extreme cases and at parents' request appropriate medication may be given. The cost for any course of treatment is to be met by parents.

Appendix 1

Consent to drug testing

There has been reason to believe that you may have in your possession or consumed an illegal substance.

Denstone College has a duty of care to its pupils and as part of that duty we will be undertaking a drug test by testing a sample of your saliva.

By signing you are confirming that you understand that you are consenting to a drugs test and that a positive test may have implications in terms of your place at Denstone College.

Are you currently taking any medication ? Yes/No

If yes which medication

Name of pupil: _____ Date of birth. _____

Pupil's signature _____ Date: _____

Teacher's
Signature. _____ Date: _____

Nursing staff signature (this indicates pupil has been assessed to be Gillick Competent)

_____ Date: _____

Parent/Guardian signature if pupil is NOT considered to be Gillick Competent

_____ Date: _____

Appendix 2

Consent to Drugs Testing Support Programme

DATE

FULL NAME OF PUPIL

PUPIL'S DATE OF BIRTH AGE NOW

I/WE and the pupil recognise that unlawful possession or use of a controlled drug by a pupil on/ off College premises is a criminal offence and a serious breach of College discipline which entitles the Head to expel or to require permanent removal of a pupil from the College.

The Head, in this instance only and as an alternative to expulsion/removal of the pupil, has offered the pupil a supportive testing regime for a period of months from today which I/we and the pupil wish to accept. In this consent form "sample" means a sample of the pupil's urine (taken in accordance with the College's Procedures for Testing) which will be sent for standard screening to an independent laboratory.

I/We understand that the regime will be conducted in the following manner:

1. Within 24 hours of this consent being signed (or within another period as the Head shall specify) the pupil may, with a supervisor, meet the Nurse in the Health & Wellbeing Centre and provide a sample of saliva where a ALLTEST 11 Panel Saliva Railside Drug And Alcohol Testing Kit DSD-8117/Railside test will be used enabling a swift result . A second sample will be forwarded to the Laboratory for a more in depth result if necessary, if parents feel necessary, at parental expense.
2. Thereafter, the Head will require the pupil to go to the Health and Wellbeing Centre and to provide a further samples at random during a school term without prior notice.
3. It will not be a pre-condition that the Head or any member of staff has formed a suspicion of the pupil's being in possession of, or having recently used a controlled drug, for there to be a requirement to provide a sample.
4. The existence of this regime together with any requirement for a sample to be given, the taking of the sample and the communication of results shall be treated as confidential information within a circle of confidentiality which includes the Head, the pupil's Head of Hartley House/North House/South House/Moss Moor and Head of House, the Health and Wellbeing Centre and the Bursar's Department, and any other members of staff for whom the information is deemed necessary. The College cannot accept responsibility (unless negligent) if such information becomes more widely known among other members of staff or pupils.
5. Every sample will be given, certified and tested in accordance with the College's Testing Policy (see: Drugs, Alcohol and Smoking Policy). A copy of the policy, which can be found on the College website, will be provided upon the written request of a

parent. There will be no reference to urine tests for drugs on the permanent medical record of a pupil.

6. The cost of each test shall be charged to the pupil's account as an extra payable by the parents.

The above-named pupil has read and understood this form. She/he agrees to accept this regime as a condition of remaining at the College and to give his/her full co-operation. She/he understands that if the Head acting on information is of the opinion that the pupil has failed to co-operate or if a test proves positive there may be no alternative to the pupil's expulsion or removal from the College.

The pupil while at College is a full member of the school community to whom the standard terms and conditions of the College and all other rules and regulations for the time being in force will apply.

PUPIL Signature Date.....

PARENT Signature Date.....

Head's Signature Date.....

Appendix 3

Drug tests are carried out at the specific request of the Head, or in her absence the Deputy Head Pastoral or Deputy Head Pupils, wherever possible a pupil's parents will be informed by telephone before a test is conducted.

Method of testing - The college uses drug tests supplied by UK drug testing. These tests are saliva drug testing kits. We use ALLTEST 11 Panel Saliva Railside Drug And Alcohol Testing Kit DSD-8117/Railside. They test for a variety of different drugs. <https://www.ukdrugtesting.co.uk/collections/workplace-drug-test-kits>

In order to perform a drug test a senior member of staff along with a Nurse need to be present and the consent to drug testing form completed.

Children under 16 – the concept of Gillick competence by virtue of section 8 of the Family Law Reform Act 1969, 47 people aged 16 or 17 are presumed to be capable of consenting to their own medical treatment, and any ancillary procedures involved in that treatment, such as an anaesthetic. As for adults, consent will be valid only if an appropriately informed young person capable of consenting to the particular intervention gives it voluntarily.

However, unlike adults, either a person with parental responsibility or a court of law may override the refusal of a competent person aged 16–17 in certain circumstances.

In the case of Gillick, the court held that children who have sufficient understanding and intelligence to enable them to understand fully what is involved in a proposed intervention also have the capacity to consent to that intervention. This is described as being 'Gillick competent'. A child under 16 may be Gillick competent to consent to medical treatment, research, donation or any other activity that requires their consent. (DOH 2023)

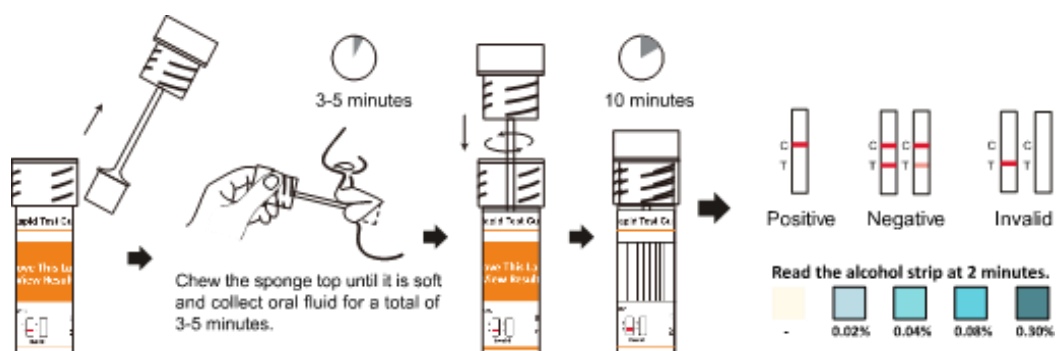
Check that the pupil is Gillick competent and they understand what they are consenting to. Explain the drug testing procedure and that there might be consequences if a positive result is produced.

Pupil, senior teaching staff and Nurse conducting the test then sign the consent form prior to the test.

Pupils are asked if they are taking any medication or have taken any medication in the past 24 hours. This is then checked in the BNF or with UK drug testing to see if it will have any effect on the test results.

Allow the test Cup, specimen, and/or controls to reach room temperature (15-30°C) prior to testing. Instruct the donor to not place anything in the mouth including food, drink, gum or tobacco products for at least 10 minutes prior to collection.

1. Remove the collector from the sealed pouch and put the sponge top in the mouth and chew until it is soft. Actively swab the inside of the mouth and tongue to collect oral fluid for a total of 3-5 minutes until the sponge becomes fully saturated. Gentle pressing the sponge between the tongue and teeth will assist saturation. No hard spots should be felt on the sponge when saturated.
2. Remove the collector from the mouth. Place saturated oral fluid collector into test cup and screw the collector to press sponge fully collect oral fluid.
3. Place the test Cup on a clean and level surface. Remove the peel off label, Wait for the colored line(s) to appear. Read results at 10 minutes. Do not read results after 1 hour. See illustration below.
4. Read Alcohol strip result at Two (2) minutes. Compare the color of the reaction pad with the chart on foil to determine the relative saliva alcohol level.



If there is any doubt the first sample will be discarded and the pupil will be asked to produce a second sample.

The testing procedure will then be explained and conducted in front of the pupil and senior member of staff by a member of the medical team. This is in order to ensure complete legitimacy and transparency of the test.

Test then read at the time as per the guidelines for that particular test by checking the adulteration strip then checking the results.

If the pupil or parent disagrees with the result of the drug test, a confirmation test can be undertaken. A sample of saliva can be sent off to UK drug testing laboratories to be tested under laboratory conditions. This confirmation test will incur a payment that will be met by the parents of the pupil being tested. (Saliva Laboratory LC-MS/MS confirmation drug test)

Department of health (2023) Reference guide to consent for examination or treatment. Second edition.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/138296/dh_103653_1_.pdf