



Sidcot  
Live Adventurously

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**Policy Name: Smoking, Drugs and Alcohol Policy**

**Policy Number: 5.6**

**Date: 30<sup>th</sup> November 2020**

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## 1. Introduction and Context

1.1 The Governing Body, Senior Leadership Team and staff of Sidcot School fully recognise their legal, social and pastoral responsibilities to protect students from danger and provide them with a safe learning environment whilst in the School's care.

1.2 Together with providing excellent academic education, we pride ourselves on ensuring that our students are introduced to 'life skills' and knowledge that will prepare them for life beyond school.

1.3 We recognise that substance misuse amongst young people in this country is an ever-increasing problem. It has therefore become necessary for all schools to have a policy in place.

1.4 The use or misuse of alcohol, and the use of tobacco and drugs, can be very damaging both to individuals and society, therefore Sidcot School has established important guidelines and rules in these areas.

1.5 The implementation of this policy is an integral part of the conditions under which a student is accepted at Sidcot. Students or parents may not opt out of any part of it.

1.6 The School is active in its responsibilities under the Equality Act 2010 and will not discriminate on the basis of protected characteristics including race, colour, religion or belief, national, ethnic or social origin, gender, gender reassignment, sexual orientation, disability or special educational need.

## 2. Scope

2.1 This is a whole school policy. It applies to the Junior School (with the exception of the Early Years Foundation Stage) and Senior School including boarding. This policy should be read in conjunction with 'The Blue Book' (the School Code), and behaviour policies.

2.2 The School community extends beyond the campus. Students of Sidcot School may not use drugs, as defined by paragraph 4.2 of this policy, at any time.

2.3 Students must remember that they are ambassadors for the school at all times. In keeping with the behaviour and discipline policies, students may be disciplined for misbehaviour when they are:

- Taking part in any school-organised or school-related activity; or
- Travelling to or from school; or
- Wearing school uniform; or
- In some other way, identifiable as a student at the School; or for misbehaviour at any time, whether or not the conditions above apply, that:
- Could have repercussions for the orderly running of the School; or
- Poses a threat to someone else; or could adversely affect the reputation of the School.

2.4 This policy is available to all parents and students on the website and in hard copy form.

2.5 The term "student" refers to all those enrolled at the school irrespective of age.

2.6 The term "smoking" includes vaping and the use of e-cigarettes.

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### **3. Aims**

3.1 This policy aims to set out clearly the expectations of the School, and to ensure that students and parents understand:

- The implications of drug, tobacco, vaping, electronic cigarette and alcohol misuse and the sanctions and consequences that may apply;
- The measures that the School will employ to investigate possible abuse;
- The potential for the involvement of external agencies, including the police and social services; and
- The pastoral support that the School offers to educate and support where appropriate.

### **4. Prohibited Activities/Substances**

#### **4.1 Smoking including using e-cigarettes and vaporisers**

4.1.1 Students are not allowed to smoke on School premises, which includes in vehicles, or when otherwise occupied in school activities. Smoking is a health and safety risk and is particularly serious in-house as it exposes others to passive smoking and poses a significant fire risk. Smoking in public buildings in England is illegal and carries a heavy fine. It is also an offence to sell tobacco products to anyone under the age of 18 but the school extends this to selling to any student irrespective of their age

4.1.2 Any student who is:

- Caught smoking, including using e-cigarettes and vaporisers or
- Suspected of smoking (for example by virtue of smelling of smoke) or
- Found in possession of tobacco or smoking paraphernalia, including nicotine substitutes or
- Found to have been in the company of smokers or found to have supplied such products to other students will be subject to the School's disciplinary procedures.

4.1.3 Each infringement will be treated on its merits, but as a usual course:

- First reported instances will result in a conversation with the Deputy Head, and letter to parents and/or guardian and a course of four sessions with a 'Take Ten' mentor or if the student prefers, a two-hour Saturday afternoon detention. Students will be asked to attend an informative session with the Health Centre.
- Second reported incidences will result in a letter to parents and/or guardian and a two-hour Saturday afternoon detention.
- Third reported instances will result in a letter to parents and/or guardian which will include a request for a parent and/or guardian to come in and

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talk to the Deputy Head Pastoral. The student will also receive a two-hour Saturday afternoon detention.

- Subsequent instances will normally attract a school suspension, as will any smoking inside school buildings.

**Persistent offences may result in exclusion or permanent removal in accordance with the School's Exclusions Policy (5.11).**

4.1.4 We believe that all students should be aware of the health risks associated with smoking. The Health Centre is able to provide help and support for any student wishing to give up or reduce their smoking addiction. If the student is found to be taking positive steps to give up smoking, this may be taken into account when the school is administering any sanctions.

#### **4.2 Drugs and Related substances:**

4.2.1 The School forbids a student from the possession, use or supply of drugs and related substances; this includes (but is not limited to):

- Drugs defined by the Misuse of Drugs Act 1971 such as Heroin, Cocaine, Crack Cocaine, Amphetamine Sulphate, MDMA (Ecstasy tablets) and Cannabis;
- Legally purchased, or prescribed, medication that is being used for purposes other than intended or prescribed, such as Anti-depressants, Steroids and Benzodiazepines;
- Substances which are not illegal but which may have an intoxicating and/or stimulating and/or hallucinating and / or mind altering effect. The use of animal, mineral or vegetable products which have such an effect, for example magic mushrooms, 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;
- Any other substance that can be purchased legally, such as glue, solvents performance related drugs, anabolic steroids, and 'legal highs', if they are being held or supplied for misuse. Mood-enhancing products, such as Nitrous Oxide, "Poppers" and other so-called 'legal highs' are absolutely forbidden. Stimulants such as "Pro Plus" are also not permitted. Drug related paraphernalia. This is not an exhaustive list;

4.2.2 Although boarding students are permitted to take over the counter vitamins and minerals, at the discretion of their parents, the use of supplements, such as protein shakes, creatine and other performance enhancing aids are not permitted within school or boarding houses for any student under 18 years. For students 18 years and over, the use of these supplements, are heavily discouraged, and those wishing to take such products do so at their own risk and not in the company of younger students.

4.2.3 Each infringement will be treated on its merits, but as a usual course of action, see point 6 below.

4.2.4 A breach of this policy will result in the behaviour policy being invoked, and could ultimately result in removal or exclusion.

#### **4.3 Alcohol**

4.3.1 The School forbids students from:

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- Bringing alcohol onto School premises or, whilst involved in activities as specified in paragraph 2.3, being in possession of alcohol or obtaining or supplying alcohol to another, being impaired by alcohol while on School premises, when travelling to and from school or in the care of the School, or found to have been in the company of students who are drinking alcohol whilst in the care of the school
  - Bringing the School into disrepute for any reason associated with alcohol.

4.3.2 Each infringement will be treated on its merits, but as a usual course of action will result in a three day suspension at the discretion of the Deputy Head (Pastoral).

4.3.3 A breach of this policy will result in the behaviour policy being invoked, and could ultimately result in removal or exclusion

4.3.4 If required, alcohol detection and testing may take place using a breathalyser. Consent will be sought and parents informed of the outcome of such tests.

#### **4.4 Pastoral Care**

4.4.1 Priority will be given to a programme of education and support with regard to all areas of substance misuse through Personal, Social & Health Education and within the curriculum, for example in biology. The School educates students to understand that the use of illegal drugs, smoking products and alcohol is and will be harmful to their health, integrity, independence, opportunities and careers. It aims to build students' resilience in social situations. This is a sensitive and age appropriate programme. Students, parents/guardians and staff will be presented with relevant and up to date information. Literature will also be made available through school with regard to prevention and detection of substance misuse, for example the FRANK programme.

4.4.2 We encourage students to discuss their anxieties about smoking, alcohol, drugs or other substances in confidence with a member of staff or the school counsellor.

4.4.3 The member of staff who oversees and co-ordinates these issues is the Deputy Head (Pastoral) who is also the Designated Safeguarding Lead.

4.4.4 Every parent should read and discuss this policy with their child when they are of sufficient understanding. The School encourages open discussion between parents and students so that parents are aware of the issues and pressures facing their child.

4.4.5 Health Centre staff are trained to support students with smoking cessation, and will signpost services for alcohol and drug misuse.

#### **4.5 Staff Training**

4.5.1 Staff receive regular training on how to recognise and manage issues around drugs, alcohol and smoking.

#### **4.6 Concerns around Adult Misuse**

4.6.1 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).

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4.6.2 If a member of staff suspects that a parent has driven, or will drive, whilst under the influence of drugs or alcohol, or is not fit to have the care of a child, the member of staff should report the matter to the DSL or a member of the senior management team who may telephone the police if it is considered appropriate. 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 alcohol or drugs, the student or other child will not be released into the care of the parent until appropriate measures have been taken. These may include involving another member of the family, social services or the police.

#### **4.7 Medical Response**

4.7.1 A 999 call must be made if a student is considered to need emergency treatment. The Health Centre must be notified immediately. If any drugs paraphernalia (including needles, pills or drugs etc) is found, the Health Centre should be notified so that safe disposal can be arranged or the materials held securely until they can be handed over to the police.

#### **4.8 Notification to Headmaster**

4.8.1 The Headmaster or Deputy Head (Pastoral) must be notified as soon as possible when an incident is discovered. Suspicion of an incident of drugs involvement must be notified to the Headmaster or Deputy Head (Pastoral) at once. The Headmaster and Deputy Head (Pastoral) are responsible for liaison with parents, governors, medical services, the police and the media. The Emergency Procedures set out in policy 1.1 should be followed where this is appropriate.

#### **4.9 Searches for drugs, substances and related paraphernalia**

4.9.1 The law provides schools with powers designed to help teachers maintain good discipline. Head teachers and staff authorised by them have a statutory power to search students and their possessions without consent when they have reasonable cause to suspect that a student may have a prohibited item, including alcohol, drugs, tobacco and cigarette papers. Staff may seize any prohibited item as a result of a search. Please refer to the Search and Confiscation Policy (5.10) which regulates the circumstances in which searches may be carried out and the way in which they should be undertaken. Parents do not need to be asked to consent to a search being undertaken.

### **5. Police Involvement**

5.1 If the School seizes a controlled drug it may be disposed of by the Health Centre. Alternatively, the School will arrange for it to be collected by the Police as soon as practicable.

5.2 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.

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## 6. Concerns in Respect of Substance Misuse

6.1 If staff, parents/guardians or fellow students have concerns regarding substance misuse, it is in the interests of the student concerned that the information is shared in a sensitive manner with the Headmaster or Deputy Head (Pastoral). The information will be handled sympathetically.

6.2 Matters brought into counselling by a student or his / her parents, in circumstances that are genuine, will be "ring-fenced" from disciplinary sanctions or adverse report. However, a student suspected of involvement with smoking, alcohol or drugs or substances outside of this context is likely to face disciplinary consequences. The supportive regime as outlined at para 6.5.5 may be invoked in certain circumstances, according to the Headmaster's discretion, and modified as appropriate.

6.3 Suspicion of misuse may arise from behavioural changes leading to deterioration in demeanour and/or performance of the student. 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 smell from certain substances on a student, the finding of certain items of equipment, behaviour on a particular occasion, or other information that has been gathered – this could include from other students.

6.3.1 It is, however, important to recognise that most young people will experience some or many of the above symptoms during their school career with no link to the use of harmful substances, and reporting of suspicions must be handled sensitively and with common sense.

### 6.4 Substance detection and testing

6.4.1 Where there are concerns of substance misuse, the student will meet with the Headmaster or Deputy Head (Pastoral) to discuss the concerns that have arisen.

6.4.2 If, following discussion, more information is needed to eliminate or confirm the use of specific harmful substances, drug screening may take place. It is a means by which a student who denies any involvement in substance misuse may be cleared of concern. A positive result may be the first step to help a student face up to the difficulties they may be having and will enable that student to access the support needed to stop substance misuse.

6.4.3 Urine sample: If, outside the context of confidential counselling, there is reason to suspect that a student has been involved with drugs or substances, he/she may be asked to supply, under medical supervision, and/or supervision of the Deputy Head (Pastoral) a urine sample for analysis. The reason for this policy is:

- To deter the use of drugs and substances



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- To identify users
  - To absolve those who have been wrongly suspected

6.4.4 Informed consent: The relevant consent to a drugs test is that of the student rather than the parents if the student is over 16 years of age, unless the student is deemed not to have sufficient capacity to consent (for example due to disability).

6.4.5 If the student is under 16 years of age, their consent will be sought provided he/she is of sufficient maturity and understanding and gives his / her informed consent in writing. The member of staff undertaking the test 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 the event that a student is not deemed to be of sufficient maturity and understanding to provide informed consent, their parents' consent will be sought.

6.4.6. In addition, as a matter of routine, it is a condition of acceptance of a new student into the senior school that a signed consent form is returned to the School by the parents to demonstrate their support for the procedure.

6.4.7 Notifying parents: Reasonable endeavours will be made, before a urine sample is taken, to notify a parent, guardian or education guardian of the requirement for a urine sample and the reasons for that requirement. This will not apply if 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.

6.4.8 Refusal: If a student or their parent on their behalf (in appropriate circumstances as per 6.4.5) refuses to provide a urine sample he / she will be asked to say why he/she has refused. The School will be entitled to draw inferences from his/her response and general demeanour and the police may be informed. The Headmaster will consider what sanctions should apply if any, and may decide to invoke the exclusions policy / require the student to leave.

6.4.9 Testing procedures: These will be in accordance with standard good practice. Care will be taken (including the careful measurement of the urine temperature) to make as certain as possible that the sample provided is genuine and uncontaminated.

- The urine sample will be taken under medical supervision by one of the school nurses in the Health Centre. Another nurse, the Deputy Head (Pastoral) (or one of the Assistant Heads) will also be present. All due care will be taken to respect the student's privacy and human rights.
- The urine sample will be poured into two clean sample bottles which will be sealed and labelled immediately in the student's presence. The samples will be sent securely to an approved testing facility as determined by the School.
- The medical supervisor will organise the paperwork. The child will be asked to sign various seals and documents which confirm that the specimens are his / hers. They will also be asked to sign a form which signifies that he / she has been satisfied with the collection procedure and gives consent for the results of the test being made available to the Headmaster and the Deputy Head (Pastoral), and such other members of staff who need to know. Confidentiality will be preserved.
- On the rare occasion that it is deemed necessary for a student to be tested immediately using a rapid drugs test and the Health Centre is closed, this

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can only be mobilised and supervised by the Deputy Head (Pastoral) with another Senior Member of staff present. If a urine sample is required all due care will be taken to respect the student's privacy and human rights and consent will be sought.

6.4.10 Medical record: The outcome of the test, whether positive or negative, will not form part of the student's permanent medical record, but will form part of their disciplinary record.

6.4.11 Outcome: When the School receives the laboratory report:

- Reasonable attempts will be made to notify a parent (by telephone or otherwise as appropriate);
- If the result is negative, the laboratory will be instructed to destroy the second sample;
- If the result is positive, the second sample will be made available for independent analysis.

## **6.5 Subsequent action.**

6.5.1. Procedure:

- The School will treat a positive test, although not infallible, as evidence that the student has been using drugs as appropriate. A meeting will be arranged at which:
  - The student will be asked to attend a meeting with the Deputy Head (Pastoral) with his/her parents or a member of the School staff chosen by him/her to assist him/her;
  - The evidence of the positive sample and all other relevant evidence will be put to the student and he/she will be invited to respond;
  - His/her response will be heard and considered and further enquiries will be made if necessary;
  - The Deputy Head (Pastoral) will make a finding of fact on the balance of probabilities based on the evidence and supported by reasons.

6.5.2. Sanctions: If the Deputy Head (Pastoral)'s decision is that the student has been using drugs, the Headmaster will be informed. If expulsion or required removal is being considered, the procedures set out in the School's Exclusion Policy (5.11) will be followed.

6.5.3 There is no automatic sanction for a drug- or alcohol-related incident. Any decision will be taken after considering all the relevant facts available and information about the student involved, and the circumstances in which any incident occurred, and the School's awareness of any such incident has come about. Supply of drugs as defined by paragraph 4.2 will usually result in exclusion, even if the student is due to sit a public examination. Students involved in the possession of drugs may also be excluded from school temporarily or permanently.

6.5.4 In certain circumstances where a student has been found in possession of a drug with no evidence of supply, at the Headmaster's discretion, he or she may be allowed to continue in the School on a supportive regime. Certain conditions, which must be strictly adhered to, are outlined below in paragraph

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#### 6.5.5 Circumstances and Conditions of the Headmaster's supportive regime:

- The Student must have no previous record of serious breach of the School's discipline in a related matter;
- The offence must be the use, or possession of, a drug / drugs (caught with the drug or direct evidence of drug use);
- The Student must show genuine remorse;
- The Student must no longer use drugs;
- The Student must cooperate in identifying sources of supply;
- Parents must signal their unequivocal endorsement of the School's policy
- The parents must consent to the School's right to require the student to undergo regular testing for drug use, and agree to cover the cost of the tests.

6.5.6. If any subsequent tests are positive, the Student can expect to be excluded. Refusal to take a test in these circumstances may also result in the Student being required to leave the School.

6.5.7 The procedures in the safeguarding and child protection policy will be followed.

## **7. Charges**

7.1 Invoices for any drugs test will be passed directly to the Accounts Office when appropriate.

## **8. Boarders over the age of 18**

8.1 Irrespective of the fact that it is legal to drink alcohol over the age of 18, this policy applies to all students irrespective of age with the exception that on occasion, with the permission of the Houseparent, a student may visit an agreed nearby public house with restaurant facilities, and may consume up to 2 units of alcohol with their meal should they so wish. If it is found that this is not respected, and a student becomes intoxicated, this is likely to result in a 2 day suspension.

## **9. Right to a Governors' Review**

9.1 The sole circumstance in which a student has a right to a Governors' Review is when the Headmaster has made a decision to permanently exclude a student pursuant to the exclusions policy. There is no right to a review of the Headmaster's decision to require testing or not to offer the supportive regime as outlined in paragraph 6.

9.2 The complaints policy (2.6) will apply and is available on the School's website and in hard copy form.

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## **10. Monitoring and Review of this Policy**

10.1 This policy will be reviewed annually, or sooner if major incident or change in guidance or statute dictate by the Deputy Head (Pastoral) Pastoral, in conjunction with the Pastoral Group

10.2 The Deputy Head (Pastoral) will be made aware of and will monitor any contraventions of this policy and trends in conjunction with his safeguarding role and as head of boarding, and will make the Governing Body aware of incidents when appropriate.

## **11. References**

- The Education (Independent Schools Standards) Regulations 2014
- The Handbook for the Inspection of Schools – Commentary – September 2019
- The National Minimum Standards for Boarding Schools (effective from April 2015)
- 'Keeping Children Safe in Education', DfE, September 2019
- 'Working together to Safeguard Children', DfE, 2019
- 'What to do if you're worried a child is being abused', DfE, 2015
- Dealing with allegations of abuse against teachers and other staff (DfE October 2012)
- DfE guidance ACPO and Drug advice for Schools
- The Equality Act 2010
- The Education Acts 1996 and 2006
- School Standards and Framework Act 1998
- The Education and Inspections Act 2006

## **12. Related Policies**

2.1 Safeguarding and Child Protection

2.2 Staff Student Code

2.11 Equal Opportunities (Children)

3.1 Admissions

5.1 5.1a,b – Behaviour and discipline policies for Senior and Junior Schools, and Out of School Care

5.7 Physical restraint

5.10 Search and confiscation

5.11 Exclusions

7.1 PSHE

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### 13. Document Change History

Date of change	Detail significant changes and any new legislation/guidance taken into account
12.03. 2016	New Policy approved by Governing Body.
03.12.212016 Reviewed by Board	Minor grammatical amendments. Issue of consent clarified – paragraphs 6.44, 6.45. Inclusion of body building products 4.2.1 Removal of any references to alcohol testing References updated
31.05.2017	Clarification of position regarding body building products which are prohibited for any student under 18. The use of such supplements are discouraged for over 18s, but students may take them at their own risk.
22.11..2017	Minor formatting changes. Paragraph 9 – Procedure for review updated. Policy reviewed accordingly.
01.12.2018	Reviewed and adopted by Board. Minor grammatical errors corrected. Paragraph 6.9 – reference to “Cansford” laboratories replaced by “such approved testing facility as determined by the school”. References updated.
30.11.2019	Reviewed and adopted by Board. References updated. Sanctions updated Policy to be reviewed in future by Pastoral Group.
12.12.2019	Wording of “consorting with” replaced to “in the company of” for clarity

05.03.2020	<p>Addition of the following:</p> <p>2.5 The term “student” refers to all those enrolled at the school irrespective of age.</p> <p>2.6 The term “smoking” includes vaping and the use of e-cigarettes.</p> <p>Para 3 “The implications of drug, tobacco, vaping, electronic cigarette and alcohol misuse and the sanctions and consequences that may apply</p> <p>Para 4.1 “It is also an offence to sell tobacco products to anyone under the age of 18 but the school extends this to selling to any student irrespective of their age.”</p> <p>New Paragraph 8. Boarders over the age of 18</p> <p>8.1 Irrespective of the fact that it is legal to drink alcohol over the age of 18, this policy applies to all students irrespective of age with the exception that on occasion, with the permission of the Houseparent, a student may visit an agreed nearby public house with restaurant facilities, and may consume up to 2 units of alcohol with their meal should they so wish. If it is found that this is not respected, and a student becomes intoxicated, this is likely to result in a 2 day suspension.</p>
30.11 2020	<p>Paragraph 4.3.4 – inserted a point around alcohol testing</p> <p>Paragraph 7.1 removed the clause that says the school will pay for the first drugs test if it is negative.</p> <p>Paragraph 6.4.9 inserted a paragraph about quick drugs testing</p> <p>Reviewed and adopted by Pastoral Committee, approved by Board 5<sup>th</sup> December 2020.</p>

