



Drug and Substance Misuse Policy

This policy has made reference to DfE and ACPO Drug Advice for Schools (Sept 2012), MOSA Guidelines on testing for Drugs in Schools (2020), Working Together to Safeguard Children (2018), Keeping Children Safe in Education (2023), Every Child Matters, and continues to consult public drug strategies as set out in the UK Government Drug strategy of July 2017.

This policy deals with drug and substance misuse. Procedures and responses to alcohol use and abuse are dealt with in the Pupil Alcohol Policy.

1 Introduction

1.1.1 The School Rules state clearly that a pupil “must not buy, supply, possess or use illegal drugs, vapes, ‘legal highs’ or solvents, in school, or on a school-related activity”, nor should they be in possession of materials used in drug-taking. All pupils are informed when they enter the School that certain offences might lead to expulsion and amongst these is an involvement in drug or substance abuse, namely use, purchase, possession or supply of controlled substances. A controlled substance is identified as a drug or chemical whose manufacture, possession, or use is regulated by a government, such as illicitly used drugs or prescription medications that are designated a Controlled Drug.

1.1.2 Our primary concern with regard to drugs is to safeguard the well-being of our pupils. Drugs are easily available to young people and it would be naïve to think that no Repton pupil had used or experimented with them away from school. Counselling from the Chaplain, the School Counsellor, the Pupil Wellbeing and Mental Health Lead and the School Doctor is available to help pupils who have become involved in drugs in this way.

1.1.3 The School recognises that it has a duty to deliver, via the PSHE programme, Drugs Education to pupils of all ages and at the various stages of their school lives in the hopes that they will be able to make informed decisions when faced with the temptation to experiment with drugs. Pupils receive talks from B Block (Year 9) onwards, from a range of speakers which has included: Bob Tait; Simon Leigh, Fiona Spargo Mabbs, and on occasion, from officers of the Derby Drugs Squad.

1.1.4 It is the responsibility of parents to notify the school of any drugs, particularly any of a psycho-active nature that might have been prescribed by a doctor other than the school doctor. These must be dispensed in accordance with WSP12 Pupil Self Medication, almost always by the Matron rather than allowing the pupil to self-medicate.

1.1.5 Through the PSHE programme, the School makes it clear to the pupil body that a wide range of drugs and substances are harmful to the individual, not just those categorised as:

- **Class A** - Ecstasy, LSD, heroin, cocaine, crack, magic mushrooms, methamphetamine - which can carry tariffs of up to 7 years imprisonment for possession, an unlimited fine or both and up to life imprisonment for supply and production.
- **Class B** - Amphetamines, Barbiturates, Cannabis, Codeine, Ketamine, Methylphenidate (Ritalin), synthetic cannabinoids, synthetic cathinones (e.g. mephedrone, methoxetamine) Pholcodine) - which can carry tariffs of up to 5 years imprisonment for possession, an unlimited fine or both and up to 14 years imprisonment, an unlimited fine or both for supply and production.
- **Class C** - Anabolic steroids, Benzodiazepines (Diazepam), Gamma Hydroxybutyrate (GHB), Gamma-Butyrolactone (GBL), Piperazines (BZP), khat - which can carry tariffs of up to 2 years imprisonment for possession an unlimited fine or both (except anabolic steroids), and up to 14 years imprisonment, an unlimited fine or both for supply and production.

The School also bans Vape-related products so-called 'Legal Highs' (Poppers, Nitrous Oxide and Shisha pipes etc), steroids, protein shakes and high energy drinks.

It is impossible to list every drug or substance, illegal or otherwise, that the School considers as harmful to the safety of its pupils, and therefore banned, but a disciplinary judgement can be made by the School, perhaps in conjunction with expert advice, on the conduct of a pupil, depending on the type of substance involved, the intentions of the individual in his/her use of the substance, the context in which the substance was taken, and in the effects of the substance on the mental or physical state of that individual or, by association, of other school pupils.

1.1.6 The range of substances banned by the School and attendant contextual evidence does allow for a range of disciplinary measures to be taken, but these narrow considerably if the substance in question is an illegal one, or one that is 'legal' but deliberately created to mimic the effects of illegal drugs – the so-called 'legal high'.

1.1.7 Involvement with illegal drugs and the misuse of harmful substances at school does not absolve the School from a responsibility to provide counselling for offenders but there is a paramount disciplinary duty which underpins our response. It is not simply the purchase, supply and consumption of drugs by an individual which can prompt disciplinary action, but also the effect that individual's actions can have on the community as a whole, either directly or indirectly. It is the school's responsibility to protect the community as well as to deal with the individual.

1.1.8 In reaching a disciplinary decision, the School will take into account the nature of the drug, the amount and frequency of use involved, the role of any individual in its presence in the School (it should be noted that the supply or procurement of illegal substances into the School will be considered to be of particular significance) and any other mitigating or incriminating circumstances. In addition, the School's decision will be cognisant of prevailing social and cultural attitudes and in keeping with the usual practice in the independent sector.

1.1.9 Parents are invited to talks given by drugs education officers and experts, some from the Derby Drugs Squad. The School sees it as important to work closely with parents to safeguard our pupils more effectively. However, the School cannot take disciplinary responsibility for the actions of pupils when they are in their parents' care.

1.1.10 If the school felt that drug-related factors in a pupil's home life were impinging on the wellbeing of that pupil and his/her performance in school, the matter would be referred to the Designated Safeguarding Lead immediately and action taken in consultation with external agencies.

1.1.11 Staff training is also an important part of the process and here too drugs education officers and experts improve the ability of the staff, particularly the houseparent, to recognise and deal with drugs-related issues and substance abuse.

1.1.12 Confidentiality. In keeping with the Child Protection Policy, staff, parents and pupils should be aware that no guarantees of confidentiality can be given with regard to information about drugs passed to them by pupils or other members of staff, but that it will be referred in confidence to the appropriate people in positions of responsibility.

1.1.13 Smoking, purchasing, supplying or possessing cigarettes or e-cigarettes/vaping materials is also considered a serious contravention of the School Rules which would be met with an escalating sanction framework, from a loss of privileges to exclusion, depending on frequency and context. With regard to vaping, the sanction will be dependent on the content of the vape and the degree of harm/risk to the individual. The more harmful the content the stronger the sanction is likely to be (e.g Nicotine Salts are likely to be seen as more serious than regular vape product).

1.1.14 It should be remembered that the purchase of cigarettes by a pupil under the age of 18 is illegal.

1.1.15 An older pupil supplying cigarettes/ vaping materials to a younger pupil would be regarded with particular concern and any sanction imposed would be adjusted accordingly.

1.1.16 Any pupil associating with smokers or vapers, although not directly participating, would still be liable to receive a sanction, particularly as this congregation would almost certainly take place out of school bounds.

1.1.17 The school takes active steps through the PSHE programme and through the work of doctors and the school nursing staff at the health and wellbeing centre, to educate pupils on the health risks associated with smoking and to advise pupils on how best to give up the habit.

1.1.18 With the exception of private dwellings, the school is a smoke-free site.

2. Procedure for dealing with cases where misuse is suspected

2.1 Suspicion of involvement in drugs may come from any number of sources:

- strange patterns of behaviour;
- abnormal physical condition which may require the School Doctor;
- rumours and hints from other pupils;
- information given to staff by other pupils or from parents;
- unauthorised absence from School or House;
- visits to places where drugs might be available.
- association with suspected or known drug users.

2.2 As per the guidance from DfE and ACPO Drug Advice for Schools (Sept 2012), if a pupil is suspected of being under the influence of drugs or alcohol on school premises, the school must prioritise the safety of the young person and those around them. If necessary it should be dealt with as a medical emergency, administering First Aid and summoning appropriate support. Parents will be contacted and, depending on the circumstances, the Police may well be contacted. If the child is felt to be at risk, the Safeguarding Policy will come into effect and social services may need to be contacted.

2.3 Once a problem which might be drug-related has been identified, the member of staff / Matron / Prefect involved must notify the Houseparent immediately as per the school's disciplinary incident protocol. The Houseparent should inform the Deputy Head (Pastoral) and/or the Designated Safeguarding Lead if there are Child Protection issues involved and the assistance of the local authority thought to be necessary. It may be that, for safeguarding reasons, a pupil might be asked to return home whilst an investigation was being conducted. The Deputy Head (Pastoral) and/or Designated Safeguarding Lead will inform the Headmaster and Principal Deputy Head and co-ordinate all subsequent investigation. It needs also to be considered that the individual concerned has been implicated peripherally in other suspicions.

2.4 Any initial suspicions need to be confirmed, or at least strengthened, by further investigations. There is a clear procedure for all subsequent action set out in the Serious Incidents Protocol and in the Behaviour Management Policy (Section 9: withdrawal, temporary and permanent exclusion) to follow. In broad terms, Houseparent's would normally conduct the initial interview in keeping with protocol guidelines and maintain the connection between pupil, parents and SMT; the Deputy Head Pastoral leads the investigation, along with, either or both, another member of the SMT and Houseparent; the Headmaster is kept informed of all developments while remaining separate from the investigative process in order to deliver a clearer judgment in its concluding stages. As a part of the process, the Headmaster would usually inform the Chair of Governors.

2.5 In the course of an investigation, further interviews will be conducted by a member of the Senior Management Team (usually the Deputy Head Pastoral) accompanied by the Houseparent of the pupil(s) involved, again in accordance with school guidelines. A search for evidence of possession of illegal substances may also be made, in accordance with the school's policy on conducting searches of pupil property (see Behaviour Management Policy and the DfE Searching, Screening and Confiscation Advice for Schools, July 2022 [Searching, Screening and Confiscation \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)). Full details of the pupil interviews should be recorded on the INT1 and

INT 2 forms and a final, full record made on the REC 1 form, including a police incident reference number, if relevant.

2.6 In certain cases – e.g. the suspicion of Class A drugs being on the school site, the suspicion of large quantities of controlled substances on the school site, or the sale of controlled substances - the assistance of the Drugs Squad in Derby would be sought, perhaps to search for or to identify substances. Advice from the police, initially from our local support (see below), might well be sought on the best way to proceed with individuals. In the event of firm evidence, there is a legal obligation to notify the police. It should be noted that their primary interest is likely to be the pushers rather than the users. Communication with the police on matters linking our pupils and drugs will be through the Director of School Operations in consultation with the Principal Deputy Head and the Deputy Head Pastoral. Evidence of anonymous drug use or supply around the school site or in the village is passed on to the police by the Assistant Head (Operations).

2.7 In taking temporary possession and disposing of suspected controlled drugs in the process of an investigation, staff should ensure that a second adult witness is present throughout. Any sample should be sealed in a plastic bag and include details of the date and time of the seizure/find and witness present, stored in a secure location, such as a safe or other lockable container with access limited to senior members of staff. A member of the SMT would then notify the police, without delay, who might then collect it and then store or dispose of it in line with locally agreed protocols or advise the school on the next course of action. The law does not require a school to divulge to the police the name of the pupil from whom the drugs were taken but it is felt advisable to do so.

2.8 The taking, possession or supplying of drugs may be admitted but the situation is more complex if any involvement is denied. If the initial suspicions can be corroborated by firm or circumstantial evidence, the parents should be notified as soon as possible. Parents would not normally be involved in the interview process but would, at every significant stage thereafter, be informed of developments by the Houseparent, prior to a discussion with the Headmaster.

2.9 If the weight of evidence is convincing enough to make the School authorities believe that a pupil has been involved in illegal drug activities, the Headmaster may request the pupil to take a drug test, see Appendix A. Should this request be denied, the School will make it clear to parents that, given other evidence, a refusal to comply with the offer of testing may be taken as an admission of guilt, which may result in a permanent exclusion. Should a pupil be allowed to return to school following a refusal to take a drugs test, they would be subject to a regime of drugs-testing at parental expense, room searches and restrictions to social activity as required by the Headmaster for the safeguarding of the individual concerned and for that of the school community.

2.10 'Within reason, unless instructions are given to the contrary by the trip leader, usually subject to SMT approval, it is assumed that School Rules, especially those relating to alcohol, controlled substances, banned items, relationships and behaviour, apply on a trip as they would do in school' (EV Policy).

2.11 To conclude: if a pupil is found to be involved in drug abuse, the decision on disciplinary action will be the Headmaster's. In cases of clear-cut involvement of particular concern, a strong line will be taken in the interests of the School community which could involve the removal of the pupil from the school. In less clear-cut cases, degrees of involvement or mitigating circumstances may be taken into account. There may be circumstances following an investigation in which the

Headmaster would require a pupil to submit to a regime of random drug testing in his/her future time at the School.

Appendix A – Testing: Drugs

A pupil suspected of unauthorised consumption of drugs may be asked to give a biological sample for analysis, to be tested in one of these two ways:

1. On site, by an **outside agency** (e.g. Repton Security) in the presence of two members of the SMT (usually the Deputy Head Pastoral and the Assistant Head (Operations)). Wherever possible, the pupil's housemaster/mistress (or other member of staff known to the pupil) will also be present to provide support to the pupil. In giving a sample, all due care will be taken to respect the pupil's privacy and human rights.

The test is likely to be a saliva sample test.

In the case of a positive result, a sample will be sent off for analysis undertaken by an independent contractor.

2. On site, using **Intelligent Fingerprinting**, administered by the Deputy Head Pastoral / Assistant Head (Operations) (or School Marshal). Wherever possible two members of the SMT to be present. Wherever possible, the pupil's housemaster/mistress (or other member of staff known to the pupil) will also be present to provide support to the pupil. In giving a sample, all due care will be taken to respect the pupil's privacy and human rights.

Intelligent Fingerprinting works by detecting target drugs and drug metabolites contained within the tiny traces of sweat in fingerprints.

In the case of a positive result, a sample will be sent off for analysis undertaken by an independent contractor.

Consent – The School will always look to obtain the consent of the pupil and their parents/guardian before proceeding with a drugs test. If consent is refused then this will be documented.

Testing procedures - These will be in accordance with standard good practice and will be described clearly to the pupil at the time.

Outcome – The result of any initial test and confirmatory laboratory test by an independent contractor will be communicated to parents/guardian, preferably by telephone.

Medical record - The outcome of a test, whether positive or negative, will not form part of the pupil's permanent medical record.

Police Contact Details:

PCSO David (Bob) Marley Mercia SNT – Area 2
Tel: 101
Mobile: 07793 814204
david.marley@derbyshire.police.uk

PCSO Supervisor Kerry Wallington-Waite 4469
PCSO Supervisor South Derbyshire SNT.
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999 for all emergencies.

101 for more general communication/reports

Reviewed Michaelmas 2023
T.H.Naylor (Deputy Head Pastoral)

Updated September 2023, with changes to reflect vaping (Section 1.1.13) and reference to the Behaviour Management Policy (Section 9).