

<b>Policy Name</b>	Policy and Procedure on Substance Misuse by Students
<b>Department</b>	Student Services
<b>Created by (Job Title)</b>	Group Director of Student Services
<b>Date Reviewed</b>	August 2024
<b>Date of Next Review</b>	August 2025
<b>Equality Impact Assessment</b>	This policy has been reviewed in line with the Equality Act 2010 which recognises the following categories as Protected Characteristics: Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion and Belief, Sex (gender) and Sexual orientation. We will continue to monitor this policy to ensure that it provides equal access and does not discriminate against anyone, especially any person/s listed under any protected characteristic.

## **Policy and Procedure on Substance Misuse by Students**

This policy outlines the responsibilities of the College in relation to substance misuse in line with current legislation and guidance.

### **Policy**

#### **1. College Commitment**

The College is committed to creating and maintaining a safe working and learning environment in which the wellbeing of all students and staff are safeguarded. This

policy acknowledges the harm that substance misuse, whether legal or illegal, can have on individuals, families, groups and communities. Substance misuse is incompatible with the learning environment of the College, its role in the community and duty of care towards its students, and can seriously damage a person's physical health and mental wellbeing.

The aim of this document is to provide a consistent and thorough approach to the issue of substance misuse and also clarify the support available to students and staff. It outlines the procedures to be followed, in the event of either substance misuse in College or wider social misuse which could become a barrier to learning and progression.

The College's approach is essentially three-fold:

- Health and safety – assessing and managing immediate risk
- Behaviour management – applying the code of conduct and behaviour procedures
- Education and support – raising awareness of the potential harm and impact of substance misuse, and facilitating ongoing support for individuals affected.

## **2. Definition**

In the context of this policy a drug is any substance that affects the way in which the body functions physically, mentally or emotionally. This includes;

- Legal substances such as alcohol, tobacco and solvents/volatile substances
- Psychoactive substances (so called 'Legal highs') as defined by the Psychoactive Substances Act (2016)
- Prescription and over the counter medicines
- Illegal substances as defined by The Misuse of Drugs Act (1971) and related regulations.

## **3. Context**

The College recognises that substance misuse can cause problems and difficulties for the individual taking the substance, those closely associated with them and the wider community of which the College is a part. The College will comply with its legal obligations and responsibilities in this regard, as well as its duties to safeguard the wellbeing of students and staff.

The College engages in educating and supporting all students through its tutorial, guidance, Mental Health and Wellbeing Practitioners and enhancement provision. The College also seeks to work effectively with external partners such as drug and alcohol support services, Social Services, Youth Offending Services and the Police.

This policy covers students when they are on College premises or when they are engaged in College-related activities such as trips and work placements. From a practical perspective this policy should be read in conjunction with the Student

Behaviour Procedures and also with the Child Protection and Safeguarding Policy and Procedures.

#### **4. Possible Incidents**

Incidents relating to this policy may occur in some of the following ways:

- Incidents of inappropriate intoxication within class or College facilities, trips or work placements
- Aggressive, threatening, abusive or insulting words and behaviour resulting from substance misuse
- Unusual or worrying behaviour, such as extreme drowsiness, unusual reactions to situations, facial expressions, loss of balance or muscular control, social withdrawal, demeanour of tiredness and anxiety
- Use of equipment or machinery that poses a health and safety threat to themselves or others
- Engaging in selling, supplying or otherwise facilitating the distribution of substances with College students or on College premises
- Risks to the welfare of students as a result of parents, carers, friends or fellow students abusing substances.

#### **5. Equality and Diversity Statement**

The Bedford College Group is committed to the promotion and development of equality and diversity. We aim to provide a working and learning environment which values individuals equally regardless of age, disability, ethnic origin, gender, sexual orientation, marital status, religious belief or trade union membership.

This procedure is implemented in accordance with our policy and scheme on equality and diversity. Decisions/actions taken in relation to any substance misuse issues are not influenced by any of those protected characteristics, background or status, and each case will be dealt with on its own merits.

#### **Procedure**

#### **6. Managing Incidents**

A state of intoxication may include a situation where a student is seemingly lacking control of his or her faculties and could be incoherent. This is incompatible with the learning environment and may well require medical intervention. When a student is in this state the following procedures should be followed:

- The primary concern is the wellbeing of the individual concerned and other people around them.
- Where possible, seek the assistance of another member of staff. If appropriate contact Customer Services and request a member of the Estates / Facilities team as a matter of urgency.
- Calmly attempt to engage the student, to establish their identity and the course they are taking. Be aware of personal safety and assess the

situation looking for any sign of injury, paraphernalia or substances. Be mindful as to whether immediate medical assistance is required.

- If the student is not too intoxicated, they should be asked to leave College and go home. The Estates / Facilities team may be asked to accompany the person off College premises.
- If they are too intoxicated to leave safely, or if you have any concerns, request a first aider to attend. The first aider will make the decision having regard to the wellbeing of that student and others. Parents/carers may be contacted where a student is under 18 and it is felt that they do not have the capacity to leave the premises safely.
- Inform the student that they will be required to attend a meeting to discuss the situation as part of the behaviour process (if they are able to understand).
- The student should be told they must not re-enter College premises until they are sober or free from the effects of the misuse.
- If a serious incident has occurred (e.g. violence, supply of drugs), permission should be sought from a Vice Principal or Director to suspend the student pending an investigation under the College behaviour procedure. The Estates / Facilities team will consider whether assistance from the police is required.

## **7. Reporting Incidents**

The nature of the incident may differ but it is important to record details as accurately as possible in case of behaviour, criminal or safeguarding action.

- A full report of any incidents must be made by the person(s) dealing with the incident. This should be sent to the appropriate Head of Department.
- The Head of Department should then ensure that the incident is investigated and, if appropriate, dealt with in accordance with the Student Behaviour Procedure.
- The behaviour interview is an opportunity to examine whether the incident was representative of a broader problem with alcohol or drugs, rather than an isolated incident of misconduct, and if so, to allow an opportunity to respond in a way which addresses any ongoing problem and if appropriate to suggest support via the College counselling service or specialist external agencies (see annex B).
- The College also reserves the right to inform the Police, particularly where there is suspicion of dealing or that the student is in possession of quantities of an illegal substance.
- Protocols for searching students and/or seizing property and detailed in the Searching, Screening and Confiscation Policy.
- If the Police are required to attend, where possible the student will remain on site until their arrival, but no staff should put themselves into harm's way or conflict. The Police should be met by the Estates / Facilities team and directed towards the incident.

**Unauthorised visitors found on site must be reported to the police where there is a suspicion or knowledge of drug related activity.**

## **8. Supporting Individuals with Substance Related Problems**

Incidents involving intoxication are one way of identifying serious problems of misuse; they may also be self-reported by a student or arise through reports from a third party, such as a teacher or Student Services adviser.

Concerns may also arise from observation of the performance and behaviour of a person over a period of time as marked by such indicators as:

- Poor study performance or attendance, particularly where this represents a decline
- Worsening sickness record with no clear reason
- Suspicious or inappropriate behaviour, including aggression
- Financial or home concerns
- Panic attacks
- A sudden change in behaviour and/or sudden mood swings.

Each of these circumstances should lead to an individual discussion with their Learning Mentor, Personal Achievement Tutor, or a member of the Safeguarding Team. This meeting should make every effort to determine the extent of any identified substance misuse problem. In some cases the problem may not involve serious use but reflect other life issues. In such cases they may be advised to see or be referred to a student counsellor who can talk things through with them and offer ongoing support. Attendance at counselling sessions should not be compulsory or made into a condition of any agreement.

If the enquiry leads to the shared opinion that the behaviour is caused by substance dependency, a course of action may be suggested and developed that enables the person to receive appropriate help. It may still be necessary to take behaviour action, or it may be considered appropriate for such action be suspended whilst the individual seeks support. The student counsellor can refer them for more specialist help if required.

A tutor may wish to negotiate special arrangements to enable the student to continue with their studies. However, in more serious situations, it may be necessary to suspend study until the problem is resolved to the satisfaction of the College. In extreme circumstances the Fitness to Study Policy may be invoked.

Substance misuse by parents/carers may have a significant impact on students' learning. Where this is identified e.g. during tutorials or through a referral from external agencies, counselling and tutorial support will be offered.

## **9. Promotion of Responsible Attitudes Towards Alcohol and Drugs**

The College will make every effort to promote to students, staff and the broader community that it takes a responsible attitude towards substance misuse.

This includes:

- The availability of this policy and procedure to students and staff, via the intranet and website.
- The inclusion of sessions on health and wellbeing within the group tutorial framework and enhancement programme. These should promote awareness of legal aspects, the harms associated with substance misuse and safe use of legal substances, as appropriate, and include British Values such as the rule of law.
- The organisation of health awareness events.
- Embedded learning via the curriculum and tutorial provision.
- The availability of counselling and advice services in relation to substances, whether in College or by referral to specialist agencies.
- The display in open-access areas of information about substances and support agencies.
- Good working relationships with specialist external agencies (see annex B) and the promotion of their work within the College, for example at the Freshers' Fair.

## **10. Monitoring and Review**

This policy and its implementation will be reviewed and updated every three years or following changes to legislation, whichever is sooner. This will need to reflect changes made to Temporary Class Drugs Orders (which mean that substances can be made unlawful for 1 year).

## **11. Related Documents**

The following College documents available on the staff intranet give further guidance on the application of this policy:

- Health and Safety Policy and Procedures
- Child Protection and Safeguarding Policy and Procedure
- Student Behaviour (Misconduct) Procedure
- Fitness to Study Policy
- Searching, Screening and Confiscation Policy

## **Annex A**

## **Classification of Drugs Under the Misuse of Drugs Act 1971 and the Psychoactive Substances Act 2016**

The Misuse of Drugs Act regulates what are termed controlled substances. It categorises drugs as Class A, B and C with Class A drugs considered the most harmful - but all these drugs are illegal.

### **Class A drugs**

**Includes:** cocaine and crack, ecstasy, heroin, LSD, methadone, methamphetamine (crystal meth), fresh and prepared magic mushrooms, any class B drug which is injected.

### **Class B drugs**

**Includes:** amphetamine (not methamphetamine), barbiturates, codeine, ketamine, synthetic cannabinoids such as Spice and cannabis. All cathinone derivatives, including mephedrone, methylone, methedrone and MDPV were brought under control as Class B substances in 2010.

### **Class C drugs**

**Includes:** anabolic steroids, minor tranquillisers or benzodiazepines, GBL and GHB, khat and BZP.

### **Offences**

Offences under The Misuse of Drugs Act 1971 include:

- possession of a controlled substance
- possession of a controlled substance with intent to supply it
- supplying or offering to supply a controlled drug (giving or sharing where no monetary exchange exists is still supplying)
- allowing premises you occupy or manage to be used unlawfully for the purpose of producing or supplying controlled drugs.

The Psychoactive Substances Act 2016 was introduced to combat the rise of usage in so called 'legal highs'. A new offence was introduced to cover:

- producing, supplying, offering to supply and importing a Psychoactive Substance.

The definition of a psychoactive substance is 'a substance which produces a psychoactive effect in a person if, by stimulating or depressing the person's central nervous system, it affects the person's mental functioning or emotional state'.

Police have the power to stop, and detain a person to conduct a drug search if they have reasonable grounds to believe that person is in possession of a controlled substance.

NB Certain controlled drugs, such as amphetamines, barbiturates, heroin and methadone, can sometimes be prescribed by a medical practitioner. In such cases their possession is not illegal and the police will check to ascertain whether possession is lawful.

### **Possible Penalties**

	<b>Possession</b>	<b>Supplying</b>
<b>Class A</b>	Up to 7 years in prison or an unlimited fine, or both	Up to life in prison or an unlimited fine, or both
<b>Class B</b>	Up to 5 years in prison or an unlimited fine, or both	Up to 14 years in prison or an unlimited fine, or both
<b>Class C</b>	Up to 2 years in prison or an unlimited fine, or both	Up to 14 years in prison or an unlimited fine, or both

These sentences offered are the maximum. In cases of possession of cannabis or Khat, for instance, they will often be dealt with via a warning, fine or charge, depending on local demands, quantities possessed and previous offending history.

In 2011 Temporary Class Drug Orders (TCDO) were introduced. This allows the Home Secretary to make a substance unlawful (if not already unlawful) for a period not exceeding twelve months. It is therefore important that these changes are monitored.

### **Additional substances which may be misused**

**Alcohol** It is not illegal for an over 5 year old to consume away from licensed premises. It is an offence for a vendor to knowingly sell to an under 18 year old. It is illegal to buy alcohol for someone under 18. A 16 year old can buy and consume beer, port, cider or perry (but not spirits) in a pub if having a meal in an area set aside for this purpose. Police have powers to confiscate alcohol from under 18s who drink in public places.

**Tobacco** It is not an offence for people of any age to purchase or use cigarettes or other tobacco products. It is an offence for a vendor to sell tobacco products to someone they know to be under 18 years old. Police have powers to confiscate tobacco products from under 16s who are smoking in public places.

**Poppers** are not illegal to possess, buy or sell.



**Solvents** (aerosols, gases, glues etc.) are not illegal to possess, use or buy at any age. In England and Wales it is an offence for a shopkeeper to sell them to an under 18 year old if they know they are to be used for intoxicating purposes.

**Steroids** are not illegal to possess or use without prescription. It is an offence to supply them to another person.

### **Additional Information**

Some physical evidence of drug usage;

- Small plastic or elaborately folded paper wraps
- Aluminium foil wrappers, burnt foil spoons
- Vials, small bottles
- Hypodermic needles
- Unusual pills, powders or liquids in small quantities
- Herbal substances, solid or crumbly brown resin □ Glass pipes, smoking pipes, other smoking paraphernalia Unusual strong smells, pungent, sickly sweet or smoky.

**Sources of Information and Help**

<b>AQUARIUS</b> (Services for young people) 30 Meadway Bedford College MK41 9HU	01234 341977 <a href="http://aquarius.org.uk">http://aquarius.org.uk</a>
<b>P2R Path to Recovery</b> (Drug and alcohol treatment service) 21 The Crescent Bedford MK40 3RT	01234 352220
<b>SMART</b> (Drug and alcohol support agency for young people and adults in Luton) 16 Rothesay Road Luton Bedfordshire LU1 1QX	01582 723 434 <a href="http://www.smartcjs.org.uk">www.smartcjs.org.uk</a>
<b>Rehab 4 Addiction</b> (Advice for people seeking drug and alcohol rehabilitation)	0300 140 4690 <a href="mailto:info@rehab4addiction.co.uk">info@rehab4addiction.co.uk</a>
<b>Talk To Frank</b> (National Drugs Helpline)	0300 123 6600 <a href="http://www.talktofrank.com">www.talktofrank.com</a>
<b>Alcoholics Anonymous</b> (Telephone helpline and online support)	0800 9177 650 <a href="mailto:help@alcoholics-anonymous.org.uk">help@alcoholics-anonymous.org.uk</a>
<b>Narcotics Anonymous</b> (Telephone helpline)	0300 999 1212 <a href="http://www.ukna.org">www.ukna.org</a>
<b>Solve It (Northamptonshire)</b>	0300 330 1420 <a href="mailto:info@solveitonline.co.uk">info@solveitonline.co.uk</a> <a href="http://www.solveitonline.co.uk">http://www.solveitonline.co.uk</a>
<b>Family Support Link (Northamptonshire)</b>	01933 227078