



Policy No: 22a(9)

## OUR LADY'S ABINGDON (OLA) ALCOHOL AND ILLEGAL SUBSTANCES POLICY

*This policy, which applies to the whole school, is publicly available on the school website and upon request a copy (which can be made available in large print or other accessible format if required) may be obtained from the School Office.*

### Document Details

Information Sharing Category	Public Domain
Date Published	1 <sup>st</sup> September 2021
Authorised by (if required)	The Governing Board
Review/Update Date	September 2022
Responsible Area	Head and Leadership Team

We comply with the Government guidance and regulations, currently in force, regarding COVID.

This policy applies to all activities undertaken by the school, inclusive of those outside of the normal school hours and away from the school site.

**Availability:** All who work, volunteer or supply services to our school have an equal responsibility to understand and implement this policy and its procedures both within and outside of normal school hours, including activities away from school. All new employees and volunteers are required to state that they have read, understood and will abide by this policy and its procedural documents and confirm this by signing the Policies Register.

**Monitoring and Review:** This document will be subject to continuous monitoring, refinement and audit by the Head. This document was reviewed and agreed by the Board of Governors in September 2021 and if significant changes to the systems and arrangements take place, or if legislation, regulatory requirements or best practice guidelines so require, prior to September 2022, the policy will be reviewed accordingly.

Signed:

Reviewed: September 2021  
Next Review: September 2022

Head	DSL	Chair of Governors
Mr Daniel Gibbons	Chrissi Sharkey	Freddy El Turk
Signed: 	Signed: 	Signed: 

### 1. Introduction

As part of the statutory duty on schools to promote pupils' wellbeing, OLA has a clear role to play in preventing drug misuse as part of our pastoral responsibilities. To support this, the Government's [Drug Strategy 2017](#) ensures that OLA staff have the information, advice and power to:

- Provide accurate information on drugs and alcohol through education and targeted information, including via the [FRANK](#) service. The FRANK service is free, and operated by fully trained advisers. FRANK aims to give young people the skills and confidence needed to reject drugs and offer parents the information they need to bring up the topic with their children.
- Tackle problem behaviour in schools, with wider powers of search and confiscation
- Work with local voluntary organisations, health partners, the police and others to prevent drug or alcohol misuse.

OLA's alcohol and illegal substances policy which sets out our role in relation to all drug matters – this includes the content and organisation of drug education, and the management of drugs and medicines within OLA school boundaries and on school trips. It is consistent with our safeguarding policy.

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The term *drug* includes alcohol, tobacco, illegal drugs, medicines, new psychoactive substances (“legal highs”) and volatile substances.

## 2. Aims

- To embrace the challenges of creating a happy and successful adult life, pupils need knowledge that will enable them to make informed decisions about their wellbeing, health and relationships and to build their self-efficacy. Pupils can also put this knowledge into practice as they develop the capacity to make sound decisions when facing risks, challenges and complex contexts. Everyone faces difficult situations in their lives.
- Education about alcohol and illegal substances, within the context of a healthy lifestyle, can support young people to develop resilience, to know how and when to ask for help, and to know where to access support.
- To make pupils and parents/guardians aware of the policy and rules of OLA relating to drugs, smoking and alcohol and the likely penalties imposed for their misuse.
- Through our programme of drugs, smoking and alcohol education, to provide pupils with accurate information so that they understand the possible consequences of use and misuse and are able to make informed choices.
- Pupils are also helped to identify sources of appropriate personal support.

## 3. Teaching context

OLA follows the Government guidance on the teaching of topics in the new [Relationships Education, Relationships and Sex Education \(RSE\) and Health Education](#) (Sep 2021), curriculum. Education about alcohol and illegal substances comes under this guidance.

### By the end of Lower school, pupils should know:

- the facts about legal and illegal harmful substances and associated risks, including smoking, alcohol use and drug-taking.

### By the end of Senior school, pupils should know:

- the facts about legal and illegal drugs and their associated risks, including the link between drug use, and the associated risks, including the link to serious mental health conditions.
- the law relating to the supply and possession of illegal substances.
- the physical and psychological risks associated with alcohol consumption and what constitutes low risk alcohol consumption in adulthood.
- the physical and psychological consequences of addiction, including alcohol dependency
- awareness of the dangers of drugs which are prescribed but still present serious health risks.
- the facts about the harms from smoking tobacco (particularly the link to lung cancer), the benefits of quitting and how to access support to do so.

At OLA, all of these areas are set in the context of a wider whole-school approach to supporting pupils to be safe, happy and prepared for life beyond school. For example, the curriculum on illegal substances complements, and is supported by, OLA’s wider policies on behaviour, Positive Mental Health and Wellbeing, inclusion, respect for equality and diversity, bullying and safeguarding (including handling of any reports pupils may make as a result of the subject content) and its education on healthy lifestyles through physical education, food technology, science, sport, co-curricular activity and school food. The areas also sit within the context of OLA’s broader ethos and approach to developing pupils socially, morally, spiritually and culturally; and its pastoral care system.

## 4. The Law and OLA Rules

- OLA’s rules and sanctions (as detailed in the Positive Behaviour Code) make the attitude of OLA quite clear. Drugs, smoking and alcohol are absolutely forbidden, both in school, when travelling to and from school or when involved in any out-of-school activity.
- OLA does not tolerate the possession of cigarettes, alcohol or drugs (legal or illegal) nor their use or misuse by any member of OLA when under OLA discipline or at any other time if it affects the wellbeing of the School or brings it into disrepute in any way.
- Any breach of these rules is a ‘non-negotiable’ negative behaviour and will invoke the highest level of sanction in our Positive Behaviour Code. The laws of the land regarding drugs must be strictly observed and any breaking of the law may endanger a pupil’s place at OLA.

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**Spiking:** The Sexual Offences Act 2003 states that it is an offence to administer a substance, to a person with intent to overpower that person to enable sexual activity with them. It is punishable by up to 10 years imprisonment. This means that slipping alcohol or drugs into someone's drink is against the law, even if the drink is not consumed or the person is not harmed. The same would be true of needle spiking which would also be a physical assault.

#### **Tobacco – Smoke Free Schools:**

The minimum age for smoking is 18 and OLA is subject to the same smoke free legislation as other premises. OLA is a smoke free site. OLA provides information and support for smokers to quit. Children and young people should understand the non-smoking policy. The National Institute for Clinical Excellence (NICE) have developed guidance on school-based interventions to prevent the uptake of smoking amongst young people.

#### **5. Management of incidents - Searching and confiscation**

<https://www.gov.uk/government/publications/searching-screening-and-confiscation> (Jan 2018)

OLA staff can search a pupil for any item if the pupil agrees. OLA is not required to have formal written consent from the pupil for this sort of search – it is enough for the teacher to ask the pupil to turn out his or her pockets or if the teacher can look in the pupil's bag or locker and for the pupil to agree. The Head and staff authorised by them have a statutory power to search pupils or their possessions, without consent, where they have reasonable grounds for suspecting that the pupil may have a prohibited item. The staff member must decide in each particular case what constitutes reasonable grounds for suspicion. School staff can seize any prohibited item found as a result of a search. They can also seize any item, they consider harmful or detrimental to school discipline. For the purpose of this policy, prohibited items are:

- Alcohol
- illegal drugs
- tobacco and cigarette papers
- vaping liquids or devices

Under article 8 of the European Convention on Human Rights pupils have the right to expect a reasonable level of personal privacy. A pupil's expectation of privacy increases, as they get older. Any interference with this right by OLA must be justified and proportionate. The powers to search in the Education Act 1996 are compatible with Article 8. If a search and confiscation is deemed necessary, OLA will exercise those powers lawfully, demonstrating that we have acted in accordance with Article 8.

#### **Undertaking a search:**

Searches without consent can only be carried out on the school premises or, if elsewhere, where the member of staff has lawful control or charge of the pupil, for example on school trips in England or in training settings.

In such circumstances, OLA will ensure that:

- the staff member undertaking the search is the same sex as the pupil being searched
- there is a witness (also a staff member) of the same sex, where possible

OLA can carry out a search of a pupil of the opposite sex and/or without a witness present, but only where OLA reasonably believes that there is a risk that serious harm will be caused to a person if you do not conduct the search immediately and where it is not reasonably practicable to summon another member of staff. When designating a member of staff to undertake searches under these powers, the head should consider whether the member of staff requires any additional training to enable them to carry out their responsibilities.

An item banned by the school rules may only be searched for under these powers if it has been identified in the school rules as an item that can be searched for. OLA publicises our Positive Behaviour Code, in writing, to staff, parents and pupils at least once a year and makes it clear which items are banned.

#### **Extent of the search:**

- The person conducting the search may not require the pupil to remove any clothing other than outer clothing. 'Outer clothing' means clothing that is not worn next to the skin or immediately over a garment that is being worn as underwear but 'outer clothing' includes hats; shoes; boots; gloves and scarves.

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- ‘Possessions’ means any goods over which the pupil has or appears to have control (includes desks, lockers and bags)
- A pupil’s possessions can only be searched in the presence of the pupil and another member of staff, except where there is a risk that serious harm will be caused to a person if the search is not conducted immediately and where it is not reasonably practicable to summon another member of staff.
- The power to search without consent enables a personal search, involving removal of outer clothing and searching of pockets; but not an intimate search going further than that, which only a person with more extensive powers (e.g. a police officer) can do.

#### After the search:

- OLA’s general power to discipline, as circumscribed by Section 91 of the Education and Inspections Act 2006, enables a member of staff to confiscate, retain or dispose of a pupil’s property as a disciplinary penalty, where reasonable
- The member of staff can use their discretion to confiscate, retain and/or destroy any item found as a result of a ‘with consent’ search so long as it is reasonable in the circumstances.
- Staff have a defence to any complaint or other action brought against them. The law protects members of staff from liability in any proceedings brought against them for any loss of, or damage to, any item they have confiscated, provided they acted lawfully.

#### Items found as a result of a ‘without consent’ search

A person carrying out a search can seize anything they have reasonable grounds for suspecting is a prohibited item or is evidence in relation to an offence.

- Where a person conducting a search finds **alcohol**, they may retain or dispose of it. This means that OLA can dispose of alcohol if appropriate but this should not include returning it to the pupil.
- Where they find **controlled drugs**, these must be delivered to the police as soon as possible but may be disposed of if the person thinks there is a good reason to do so. It is for OLA to decide whether there is a good reason not to deliver controlled drugs to the police. In determining what is a ‘good reason’ for not delivering controlled drugs or stolen items to the police, the member of staff should take into account all relevant circumstances and use their professional judgement to determine whether they can safely dispose of a seized article. Where staff are unsure as to the legal status of a substance and have reason to believe it may be a controlled drug they should treat it as such.
- Where they find other substances, which are **not believed to be controlled drugs** these can be confiscated where a teacher believes them to be harmful or detrimental to good order and discipline. This would include, for example, so called ‘legal highs’. Where staff suspect a substance may be controlled they should treat them as controlled drugs as outlined above.
- Where a member of staff finds **tobacco or cigarette papers** they may retain or dispose of them. As with alcohol, this means that OLA can dispose of tobacco or cigarette papers as appropriate, but this should not include returning them to the pupil.

**Controlled drugs:** In taking temporary possession and disposing of suspected controlled drugs schools are advised to:

- seal the sample in a plastic bag and include details of the date and time of the seizure/find and witness present
- store it in a secure location, such as a safe or other lockable container with access limited to senior members of staff
- notify the police without delay, who will collect it and then store or dispose of it in line with locally agreed protocols.
- 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 advisable to do so
- record full details of the incident, including the police incident reference number
- inform parents/carers, unless this is not in the best interests of the pupil
- identify any safeguarding concerns and develop a support and disciplinary response

#### Informing parents:

OLA is not required to inform parents before a search takes place or to seek their consent to search their child.

- There is no legal requirement to make or keep a record of a search.
- OLA will inform the individual pupil’s parents or guardians where alcohol, illegal drugs or potentially harmful substances are found, though there is no legal requirement to do so.
- Complaints about screening or searching should be dealt with through the normal school complaints procedure.

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### **Other points to note:**

- OLA reserves the right to carry out further enquiries in all cases of suspected on-site or off-site substance misuse incidents.
- Parents/guardians are contacted and kept fully informed throughout the course of any investigation.
- A pupil's Head of Section and Form Tutor are kept informed/may be involved in dealing with any incidents and other staff are kept informed as necessary.
- In the course of an investigation, searches may need to include the lockers and bags of pupils not directly suspected of involvement.
- Pupils may be asked to make written statements and may be isolated to prevent collusion.
- As part of its investigations, OLA may request parental permission for external agencies to carry out a drugs test on any pupil reasonably suspected of involvement with drugs.
- Random drugs testing may be used as a follow-up measure for any pupil allowed to remain at OLA after proven involvement with drugs and acceptance of this condition is a pre-requisite for his/her return to OLA.
- OLA considers each substance incident individually and recognises that different responses may be appropriate in different cases. Responses may include counselling, an appropriate sanction, temporary exclusion or permanent exclusion.
- OLA always seeks to balance the interests of the pupil involved and those of other members of the School.
- The police may, at the discretion of the Head, be informed on any incident of suspected drug misuse.

## **6. Working with the police**

**Legal drugs:** The police will not normally need to be involved in incidents involving legal drugs, but OLA may inform trading standards or police about the inappropriate sale or supply of tobacco, alcohol or volatile substances to pupils in the local area. Young people are becoming increasingly aware of, and in some cases using, new psychoactive substances (NPS). These are designed to mimic the effect of illegal drugs but are structurally different enough to avoid being classified as illegal substances under the Misuse of Drugs Act.

## **7. Provision of Information**

OLA ensures that pupils have access to and knowledge of up-to-date information on sources of help. This includes local and national helplines (including FRANK for drugs, [NHS Smoking Services](#) for tobacco and [Drinkline](#) for alcohol), youth and community services and drug services. These sources can be used as part of, or in addition to, OLA's own drug and alcohol education.

- Education about smoking, alcohol and the use and misuse of drugs is part of the OLA curriculum in PSHE/RSE, Food and RS, and in the GCSE specifications for Science and Physical Education.
- Outside experts are invited to the School to speak to both pupils and parents/guardians from time to time.
- Staff are kept up-to-date on substance misuse by INSET training as appropriate. We have used a Government training module for primary and secondary schools to use to train staff to teach about drugs, alcohol and tobacco.
- Where OLA invites external agencies in to support delivery of alcohol and drugs education, it is agreed in advance of the session how a safeguarding report should be dealt with by the external visitor. It is important that children understand how confidentiality will be handled in a lesson and what might happen if they choose to make a report.

## **8. Pastoral Care and support**

If a pupil is suspected of being under the influence of drugs or alcohol on OLA premises, OLA 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. Depending on the circumstances, parents or the police may need to 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.

OLA's response to drug-related incidents needs to balance the needs of the individual pupils concerned with the wider school community. In deciding what action to take, we follow our Positive Behaviour Code for non-negotiable behaviours. Drug use can be a symptom of other problems and OLA is equipped to involve or refer pupils to other services when needed. OLA is aware of the relevant youth and family support services available in our local area.

**Early Intervention:** OLA has a key role in identifying pupils at risk of drug misuse. The process of identifying needs should aim to distinguish between pupils who require general information and education, those who could benefit from targeted

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prevention, and those who require a detailed needs assessment and more intensive support.

- Personal guidance is always available from the Assistant Heads, Heads of Section, other members of staff, or from the School Counsellor. Pupils are encouraged to discuss their concerns and to seek help if they need it.
- It is explained to pupils that the level of confidentiality possible in each case may vary.
- Pupils affected by their own or other's drug misuse should have early access to support through OLA and other local services. In addition, Drugs Helpline telephone numbers are displayed in School.
- Pupils are taught about problems and challenges. This should include factual information about the prevalence and characteristics of more serious mental and physical health conditions, drugs, alcohol and information about effective interventions.
- Teachers should be aware of common 'adverse childhood experiences' (such as family breakdown, bereavement, exposure to domestic violence and family members misusing drugs) and when and how these may be affecting any of their pupils and so may be influencing how they experience information related to drugs. The impact of time spent online, the positive aspects of online support and negotiating social media, including online forums and gaming, should also be included.
- Teachers should understand that pupils who have experienced problems at home may depend more on OLA for support.
- Pupils should be taught how to judge when they, or someone they know, needs support and where they can seek help if they have concerns. This should include details on which adults in OLA (e.g. school nurses), and externally can help.
- Emphasis should continue to be given to steps pupils can take to protect and support their own health and wellbeing. They should know that there is a relationship between good physical health and good mental wellbeing and that this can also influence their ability to learn. Teachers should cover self-care, the benefits of physical activity and time spent outdoors. This should be linked to information on the benefits of sufficient sleep, good nutrition and strategies for building resilience.
- Pupils should know the contribution that hobbies, interests and participation in their own communities can make a difference to overall wellbeing. They should understand that humans are social beings and that outward-facing activity, especially that with a service focus (for example, work, volunteering and participation in organisations such as the scouts or the girl guiding movements, the National Citizen Service or the Duke of Edinburgh Award) are beneficial for wellbeing. This can also contribute to the development of the attributes for a happy and successful adult life.
- Pupils should be supported to recognise what makes them feel lonely. Self-focused or isolating lifestyle choices can lead to unhappiness and being disconnected from society for those who have greater need for companionship and relationships.

#### **9. Pupils with special educational needs and disabilities (SEND)**

- The drugs aspects of Relationships Education, RSE and Health Education must be accessible for all pupils. This is particularly important when planning teaching for pupils with special educational needs and disabilities.
- High quality teaching that is differentiated and personalised will be the starting point to ensure accessibility. OLA is mindful of preparing for adulthood outcomes (as set out in the SEND code of practice), when teaching about drugs and illegal substances to those with SEND.
- OLA is aware that some pupils are more vulnerable due to the nature of their SEND. Relationships Education and RSE can also be particularly important subjects for some pupils; for example, those with Social, Emotional and Mental Health needs or learning disabilities. Such factors should be taken into consideration in designing and teaching these subjects.
- As with all teaching for these subjects, schools should ensure that their teaching is sensitive, age-appropriate, developmentally appropriate and delivered with reference to the law.

#### **10. Working with parents/carers and the wider community**

- The role of parents in the development of their children's understanding about drugs is vital. Parents are the first teachers of their children. They have the most significant influence in enabling their children to grow and mature and to form healthy relationships.
- OLA works closely with parents when planning and delivering education about drugs. OLA ensures that parents know what will be taught and when.
- Good communication and opportunities for parents to understand and ask questions about OLA's approach help increase confidence in the curriculum. We aim to build a good relationship with parents over time – for example by inviting parents into school to discuss what will be taught, address any concerns and help support parents in managing conversations

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with their children on these issues.

- This can be an important opportunity to talk about how drugs education contributes to wider support in terms of pupil wellbeing and keeping children safe. It is important through such processes to reach out to all parents, recognising that a range of approaches may be needed for doing so.

#### **11. Governors**

As well as fulfilling their legal obligations, the governing board should also make sure that drugs education, as part of the wider delivery of the RSE curriculum, is effectively delivered.

#### **12. Catholic perspective**

A good understanding of pupils' faith backgrounds and positive relationships between OLA and Catholic communities, helps to create a constructive context for the teaching of drugs education and ensures that topics are appropriately handled.

#### **13. Responsibility**

The Head takes overall responsibility for the implementation of this policy and for liaison with the Governing Board, parents/guardians, media and appropriate outside agencies.

