



Rationale

Children are aware of, and use, drugs from a very young age. We all have a lifetime involving medicines, legal and sometimes illegal drugs. Even extremely young children use medicines, both prescribed and non-prescribed, at times. Increasingly many people expect and demand medicines for even minor ailments.

We therefore hope that by providing our children with guidance, skills and information we will have made a significant impact on their attitude to, and appropriate avoidance, of drugs. We are aware that we have a part to play in preventing or delaying the use of drugs among our young people but accept that some may go on to experiment or use. We endeavour to have a consistent approach among staff in drug related matters. We wish to have a clear statement available for all interested people to view.

Definition of drugs

By the term 'drug' we mean any substance which, when taken, has the effect of altering the way a person behaves, sees, feels or thinks.

The term 'drug', therefore, includes but is not limited to:

- Alcohol
- Cigarettes
- Solvents (glues, correcting fluids, lighter fuel, aerosols, petrol)
- Medicines.

Aims of this policy

- To provide a clear statement of the school's view on drug education.
- To ensure a consistent approach from all staff.
- To inform pupils of the effects of drug use and abuse.
- To help pupils acquire skills in managing the pressures of the youth culture they live in.
- To build up the self-esteem of pupils.
- To help pupils gain decision-making skills.
- To create a climate where a young person feels comfortable discussing issues relating to drugs.
- To foster skills that will empower children to take responsibility for their own health.

Drugs Education

At Lymington Junior School our Drug Education will be taught through our PSHE and Science curriculum. The children will be given the opportunity to find out about issues relating to drug use, both beneficial and harmful as well as the impact drugs have on their bodies. (See Appendix 1)

The teaching about Drugs needs to:

1. Be matched to the particular needs and concerns of the pupils.
2. Respond to trends in drug issues.
3. Provide a credible and consistent message.
4. Inform about the dangerous effects of drugs but not set out to shock or frighten.

Evaluation & Monitoring

Drugs Education is part of the PSHE curriculum and is therefore managed, tracked and evaluated by the PSHE curriculum leader.

Pastoral Support

The school acknowledges the importance of its pastoral role and will support all concerned in ensuring the well being of all its pupils. Parents will be encouraged to become involved as much as possible in order to achieve a successful Drug Education programme.

Unauthorised Substances

No substances are to be brought onto the school premises unless authorised by the Headteacher or through the agreed protocol for the use of medicines on the school premises. This includes alcohol, tobacco, volatile substances and medicines (NOTE: this list is not exhaustive, other substances may be included at the discretion of the Headteacher). This applies to anybody using the building regardless of age or whether they are staff or pupils of the school.

Managing Drug related Incidents in School

'In School' is taken to mean on school premises, including buildings and grounds. The school premises also apply to off-site activities, visits and school trips. The policy will also relate to pupils' use of the premises and grounds beyond the school day.

As this is a Junior School it is unlikely that we will have to deal with a drug-related incident linked to a pupil as the user/supplier, however, there needs to be procedures in place just in case a drug related incident of this type occurs. It is also, therefore, unlikely that the police will need to become involved, however if in the unlikely event that the police are contacted this will be handled in line with county guidelines and advice.

Drugs (legal or illegal) related incidents can generally be placed into one of three categories

- Rumours of use or dealing on or off the premises
- Actual use or dealing on or off the premises, including a first aid response
- Disclosures of own or others use from a student or parent and requests for help and support

If a teacher is concerned that a pupil may be at risk from drugs misuse she/he will need to discuss his or her concerns with the Headteacher. Concerns may have arisen through hearsay. Any concerns of this nature should be reported and recorded as such. This will enable a record to be compiled of teachers' concerns and where necessary help and support offered to the pupil.

Similarly any suspicious behavior should be recorded so that any patterns of behavior may become apparent.

Support will be offered from the school's general arrangements for pastoral care. If the school believes the child is at risk from taking drugs, the parents will be informed. Where there is concern that the parents may be involved in drug misuse, child protection procedures will be followed.

If a pupil voluntarily discloses information about drug misuse, it is important to:

1. Not over-react.
2. Listen to the pupil's point of view.
3. Not to jump to conclusions.
4. Remember that the pupil may not view his or her drug use or misuse as a problem.

The pupil needs to understand that a teacher can offer no guarantee of confidentiality, given the seriousness of drug misuse.

Searching

1. Any search to school property may be authorised by the headteacher or representative, where there is reasonable cause to suspect the presence of prohibited items. They should be carried out **in the presence of a witness** and any named pupils should be present.
2. Any school staff can search pupils with their consent. Note: schools are not required to have formal written consent for this type of search it is enough to ask a child to turn out their pockets or empty a bag/locker.

If the pupil refuses, statutory powers can be enforced and the staff member needs to consider step 3 with the Headteacher or their representative.

3. Headteachers 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. **Schools are not required to inform parents before a search takes place or to seek their consent to search their child.**

Prohibited items are:

- knives or weapons
- alcohol
- illegal drugs
- stolen items
- tobacco and cigarette papers
- fireworks
- pornographic images
- any article that the member of staff reasonably suspects has been, or is likely to be used:
 - i. to commit an offence
 - ii. to cause personal injury to, or damage to the property of, any person (including the pupil)

(See Appendix 1 for Searching Guide)

4. Any complaints should be dealt with through normal school complaints procedures

Seizure and Confiscation

1. School staff can seize any prohibited item found as a result of a search. They can also seize any item, however found, which they consider harmful or detrimental to school discipline
2. There is no legal requirement to make or keep a record of the search
3. Any drugs found will be stored in a secure manner (in presence of a witness) until they can be handed over to the police.
 - i. Date & time of confiscation
 - ii. Size & appearance of substance
 - iii. Names of those concerned
 - iv. Action taken
 - v. Pupils parents informed when alcohol, drugs or potentially harmful substances found

Finding drugs in use.

1. If a pupil is found in possession of a substance suspected of being illegal, the school will inform the police.
2. Direct supervision will be necessary to ensure the substance is not disposed of or swallowed.
3. The sanctions and procedures to be followed when pupils are found in possession of tobacco, alcohol, glue, solvents, prescribed and over the counter medicines will be found in the section entitled 'Sanctions and Support'
4. In an emergency arising from a drug related incident, the well-being of the pupil will be paramount. In all instances:
 - a. separate the pupil involved from the rest of the group.
 - b. decide and implement the next best step in terms of pupil's welfare
 - c. inform parents of the incident.

Supplying of an illegal substances

It is an offence knowingly to permit the production or supply of any controlled drug on school premises. The police will be involved immediately in such circumstances.

Returning articles which have been confiscated

Any articles confiscated and not required by the police will be returned to the parents. Parents will be informed as soon as possible that the articles have been confiscated and await collection from the school. An explanation will be given as to why the school believes it inappropriate to return them to the pupil directly. If the articles are not collected within seven days, they will be disposed of.

Procedures for dealing with Parents/carers under the influence of drugs on the school premises.

Staff should attempt to maintain a calm atmosphere. If staff have concerns regarding discharging a pupil into the care of a parent/carer, attempts should be made to discuss alternative arrangements with the parent/carer, for example requesting another family member escort the child home. The focus of the staff must be the maintenance of the pupil's welfare, as opposed to the moderation of the parent's behaviour.

Where the behaviour of the parent/carer immediately places the child at risk of significant harm or repeated behaviour places the child at risk or the parent/carer becomes abusive or violent, staff should consider whether to invoke child protection procedures and/or the involvement of the police.

Dealing with the Media

If there has been a drug-related incident, the LEA will be informed. Advice will be given by the LEA on dealing with enquiries from the media.

In normal circumstances parents will be contacted. If the Headteacher assesses that the situation is a child protection issue then CPS will be contacted in the first instance.

Sanctions

This school does not condone drug misuse. However, in deciding an appropriate sanction, the interests of the child would be considered and balanced against the best interests of the whole school community. Whilst exclusion is a possible sanction (fixed or permanent) it would only be considered as a last resort. A range of responses may also be considered that may include:

- A target pastoral support programme
- Referral to an appropriate agency
- Home-School contract
- Behaviour support plans
- A managed move
- Fixed term exclusion
- Permanent exclusion

Consideration would be given to:

- the age of the pupil
- whether one pupil or a group of pupils is involved.
- whether there is evidence of particular peer pressure
- whether it is the pupil's first offence

Staff Development

All staff need to:

- Understand and support the rationale and aims of drug education
- Be aware of the legal implications and their responsibilities.

It is hoped that by staff, governors, parents and children working together, we can safeguard the well being of all pupils in our care by educating them about the dangers of drug abuse.

Policy Review

This policy will be reviewed and evaluated every two years or sooner in the events of any changes in legislation. This policy is written with regard to

- Education Act 1996
- Education and Inspections Act 2006
- The Schools (Specification and Disposal of Articles) Regulations 2012
- The School Behaviour (Determination and Publicising of Measures in Academies) Regulations 2012
- Health and Safety at Work etc. Act 1974

Appendix 1

Drugs Education Curriculum at Lymington Junior School

Objectives

- To enable children to become accurately informed on the effects, good or bad, of drugs on health, and make informed choices.
- Enable children to experience up to date coverage of the risks and legal aspects of drug taking.
- To give children the opportunity to develop their abilities to communicate their concerns and take responsible decisions.

Personal and Social Education Curriculum

1. Provided with the opportunity to explore values and attitudes related to drugs and their use or misuse.
2. Able to clarify the law regarding drug usage.
3. Able to explore the media influence.
4. Enabled to acquire and develop appropriate health related skills.

At Key Stage 2 (age 7-11 years) pupils should:

1. Know that all medicines are drugs but not all drugs are medicines
2. Know that there are over-the-counter, prescribed, legal and illegal substances and have some understanding of their effects.
3. Know how to make simple choices and exercise some basic techniques for resisting pressure from friends and others.
4. Know the important and beneficial part which drugs have played in society.

Appendix 2

Guide to conducting a search without consent

What the law says:

- 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.
- 'Possessions' means any goods over which the pupil has or appears to have control – this 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.
- Also note:
- 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.

Lockers and desks

- Under common law powers, schools are able to search lockers and desks for any item provided the pupil agrees. Schools can also make it a condition of having a locker or desk that the pupil consents to have these searched for any item whether or not the pupil is present.
- If a pupil does not consent to a search (or withdraws consent having signed a consent form) then it is possible to conduct a search without consent but only for the "prohibited items" listed in the policy.

I'm a teacher - can I refuse to search a pupil without their consent?

Yes. A headteacher cannot require a member of staff to conduct a search. In order to conduct a search without consent, a member of staff must be authorised to do so. Staff can choose whether they want to be authorised, or not.

Is there a risk that I could face legal challenge if I search a pupil without consent?

Headteachers and authorised school staff have a specific statutory power to search pupils without consent for specific items – knives/weapons, alcohol, illegal drugs and stolen items. As long as the member of staff acts within the limits of this specific power they will have a robust defence against a legal challenge.

What the law says:

- 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 schools can dispose of alcohol as they think 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.
- 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 they find stolen items, these must be delivered to the police as soon as reasonably practicable – but may be returned to the owner (or may be retained or disposed of if returning them to their owner is not practicable) if the person thinks that there is a good reason to do so.
- Where a member of staff finds tobacco or cigarette papers they may retain or dispose of them. As with alcohol, this means that schools can dispose of tobacco or cigarette papers as they think appropriate but this should not include returning them to the pupil.
- Fireworks found as a result of a search may be retained or disposed of but should not be returned to the pupil.

- If a member of staff finds a pornographic image, they may dispose of the image unless its possession constitutes a specified offence (i.e. it is extreme or child pornography) in which case it must be delivered to the police as soon as reasonably practicable. Images found on a mobile phone or other electronic device can be deleted unless it is necessary to pass them to the police.
- Where an article that has been (or could be) used to commit an offence or to cause personal injury or damage to property is found it may be delivered to the police or returned to the owner. It may also be retained or disposed of.
- Where a member of staff finds an item which is banned under the school rules they should take into account all relevant circumstances and use their professional judgement to decide whether to return it to its owner, retain it or dispose of it.
- Any weapons or items which are evidence of an offence must be passed to the police as soon as possible.

The power to seize and confiscate items – general

What the law allows:

- Schools' general power to discipline, as set out in 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 to do so.
- The member of staff may 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. Where any article is thought to be a weapon it must be passed to the police.
- 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

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Statutory guidance on the disposal of controlled drugs and stolen items

- It is up to teachers to decide whether there is a good reason not to deliver stolen items or 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 must have regard to the following guidance issued by the Secretary of State¹¹:
- 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.
- With regard to stolen items, it would not be reasonable or desirable to involve the police in dealing with low value items such as pencil cases. However, school staff may judge it appropriate to contact the police if the items are valuable (iPods/laptops) or illegal (alcohol/firework).