



Drugs, Alcohol & Smoking (including Vaping) Policy

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| Whole school | WEBSITE |
| Statutory? | No |
| Reviewed | February 2023 |
| Next review | February 2025 |

INTRODUCTION

King's Ely recognises the risks to health as well as the legal and social issues that may arise from drug misuse, the abuse of alcohol, vaping and smoking (and passive smoking).

This policy takes into account:

- the school's duty of care to its pupils to promote health education, social awareness, concern for others and good standards of behaviour;
- the School's commitment to safeguard and promote the welfare of children who are pupils at the School; all staff, Governors and volunteers are expected to share this commitment;
- Legislation relating to drugs, alcohol, vaping and smoking.

This is a whole school policy and should be read in conjunction with the following other school policies:

- Safeguarding (including Child Protection) Policy;
- Behaviour Policy.

SCOPE

This policy applies to all pupils at King's Ely (boarding and day pupils) both on-site and on school visits and excursions. The Principal has a responsibility, as far as is reasonable, to regulate the behaviour and conduct of pupils when they are off the school site¹. It should also be noted that the school's remit extends to pastoral care, monitoring absence and changes in behaviour, all of which may be attributable to alcohol or drug misuse.

¹ Section 89(5), Education and Inspections Act 2006

DRUGS

Context

In recent years, an increasing body of evidence has demonstrated immediate and long-term risks to young people's health and wellbeing associated with the use of legal and illegal drugs. These risks vary with the type of drug taken. There are particular concerns about the relationship between drug use and mental health problems among young people. For example, there is evidence to suggest that young people who use recreational drugs run the risk of damage to mental health including suicide, depression, psychotic symptoms and disruptive behaviour disorders²

Cannabis is the most common illegal drug used by pupils, with its frequency of use increasing sharply with age. The overwhelming evidence suggest that the taking of cannabis has a variety of associated risks and most certainly affects academic performance and behaviour.

The 2010 drug strategy³ identified a class of drug, known as New Psychoactive Substances (NPS) or sometimes, incorrectly, as 'legal highs'. These are drugs that mimic, or claim to mimic, the effects of illegal drugs such as ecstasy, cannabis or cocaine, and come in a variety of forms (herbal mixtures, powders, crystals, tablets or within some vaping liquids). Awareness and concern about them has grown due to their increased availability and supply, and the unknown risks they present. For many NPS, there has been little or no research to know about their potency, adverse effects from human consumption, or when used with other substances or alcohol.

Drugs and the Law

'*Drug Misuse*' is defined as the 'non-medical use of drugs that are only intended for use in medical treatment and the use of drugs that have no accepted medical purpose'. Such drugs are controlled under the *Misuse of Drugs Act 1971*. The main drugs misused are:

- opiates such as heroin (extremely rare among under 20 year olds);
- stimulants such as cocaine, amphetamines and ecstasy;
- tranquillizers such as temazepam;
- hallucinogens such as LSD; and
- cannabinoids such as cannabis.

The Misuse of Drugs Act 1971 clearly states that it is an offence in law:

- to supply or offer to supply a controlled drug to another in contravention of the Act;
- to be in possession of, or to possess with intent to supply to another, a controlled drug in contravention of the Act;
- for the occupier or someone concerned with the management of any premises (this includes schools) knowingly to permit or suffer on those premises the smoking of cannabis or the production, attempted production, supply, attempted supply, or offering to supply, of any

² Smoking, drinking, and drug use among young people in England in 2014 – a survey carried out for the Health and Social Care Information Centre by NatCen Social Research and the National Foundation for Educational Research.

³ Reducing Demand, Restricting Supply, Building Recovery – Drug Strategy, 2010

controlled drug.

The Misuse of Drugs Act therefore imposes special responsibilities on the school to react if there is any suspicion that an incident involving drugs is taking, has taken or is likely to take place on school premises.

Although some of the so-called 'legal highs' were legal in the past, since the Psychoactive Substances Act came into effect on 26 May 2016, none of these drugs are legal to produce, supply or import (even for personal use, e.g. over the internet) for human consumption. This includes selling them or giving them away for free (even to friends) when they are going to be taken to get high. The 'legal highs' that were made illegal as class A, B or C drugs under the Misuse of Drugs Act, are still covered by that legislation. All other psychoactive substances not currently covered by the Misuse of Drugs Act will fall under the Psychoactive Substances Act.

Like drinking and driving, it's illegal to drive if your driving has been impaired by taking drugs. With some drugs, you can even remain unfit to drive the next day. As well as this drug-impaired-driving offence, it's now illegal in England and Wales to drive over set levels for a number of named drugs⁴ (legal and illegal) in your body, whether or not you are impaired. Very low limits have been set for some common illegal drugs such as cannabis, cocaine and MDMA. You can get a heavy fine, be disqualified from driving or even go to prison.

The School's Response

Drug Education

For children and young people, drugs can impact on their education, their relationships with family and friends and prevent them from reaching their full potential. Drug education is a major component of drug prevention. Drug prevention aims to minimise the number of young people engaging in drug use; reduce the harm caused by drugs; and enable those who have concerns about drugs to seek help. The aim of drug education is to provide opportunities for pupils to develop their knowledge, skills, attitudes and understanding about drugs and appreciate the benefits of a healthy lifestyle, relating this to their own and others' actions.

King's Ely has an education programme designed to inform, to develop care and respect for an individual's body and personality, to provide opportunities for adults to listen and share rather than simply to preach and seek to control. It is widely acknowledged that a programme of drug education should begin at an early age. Through the school's Personal, Social, Health and Economic education (PSHE) programme we hope to provide just such opportunities for pupils to learn, discuss and debate. This does not mean that parents and guardians do not have a vital role to play by advising and listening to their children and by discussing problems and experiences.

Sharing Concerns

The school believes in sharing with parents mutual concerns about pupils' social behaviour. If a pupil at the school is suspected of having taken drugs, to have been in possession of drugs or to have

⁴ <https://www.gov.uk/government/collections/drug-driving>

been involved in a drugs related incident, the school will consider it to be its duty to make this known to parents and guardians. Equally, we would hope that parents would contact the school if they have any information which will help us to give the necessary assistance, counselling or support to a child involved with drugs and/or to take the necessary steps to ensure that drugs are not present in school. Although the school accepts that the vast majority of drug related incidents involving day pupils or boarders whilst they are away from school will not come to our notice, the Principal has a duty to regulate the behaviour and conduct of pupils when they are off the school site⁵ and will therefore take action against any pupil thought to be putting other pupils of the school at risk or bringing the name of the school into disrepute.

Exercising proper care and control

Clearly, the school cannot allow drugs to be present, consumed, supplied or produced on the school premises (*see Drugs and the Law*). We shall attempt to discharge that duty by:

- being alert to warning signs of drug misuse;
- regular checks of the school site being carried out for signs of drug misuse;
- providing a confidential counselling service to offer 'mentoring' for pupils at risk;
- displaying telephone numbers of confidential helplines for pupils;
- preparing staff to respond to pupils seeking individual advice about illegal drugs.

The Management of Drugs Related Investigations

The methods of investigation of incidents in general, the questioning of those involved and witnesses are included in the school's Behaviour Policy.

When dealing with an incident where drugs have been brought into school or supplied or shared with other pupils it is the responsibility of the school to seek an accurate account of events so that appropriate action can be taken. It is the school's primary responsibility to remove the threat of drug supply from its community.

Collecting Physical Evidence

- It is not the policy of King's Ely to conduct random testing for drugs as this would undermine the basis of trust essential for a healthy school community;
- In a case where the School has strong reason or evidence to suggest that drugs have been taken, or the behaviour of a pupil strongly arouses suspicion that drugs are affecting his/her behaviour, the School reserves the right to require that the pupil undergo a "drug wipe" test. This would be done with the prior knowledge of parents and/or guardians. If the "drug wipe" test is positive, the school also reserves the right to take further action as appropriate;
- In a case where the School has strong suspicion to suggest that drugs may be present in the school, searches of a pupil's working or living area including bags and clothes not being worn may be made. Permission for a search will be sought from the pupil, who will be

⁵ Section 89(5), Education and Inspections Act 2006

offered the opportunity to reveal any items or information at this time. The Principal or any staff authorised by her have a statutory power to search pupils or their possessions, without consent, where they have reasonable grounds for suspecting that the pupil may be in possession of a prohibited item⁶. The member of staff conducting the search: may not require the pupil to remove any clothing other than outer clothing (i.e. clothing that is not worn next to the skin or immediately over a garment that is being worn as underwear); should be of the same sex as the pupil; and should ensure that a witness (also of the same sex) is present. 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. When appropriate, the pupil's parents or guardian will be informed that a search is going to take place and, within reasonable timescales, will be invited to attend said search.

- Any suspect materials found will be placed in a clear plastic bag and sealed so that the article can be clearly seen. The seal will be signed with date and time and countersigned by those present. A suspect substance may be tested with a drug wipe before being stored as above. The seized articles will be reported to the police and a disposal procedure agreed. A written record of the search will be kept and countersigned by those present;
- Pupils may also be asked to hand over substances voluntarily, for example by turning out their pockets or bag. Since physical searches of pupils by staff are not allowed by law, if a pupil refuses to turn out his/her pockets etc. the Department for Education advises that the police should be called in.

Interviewing Pupils Suspected of Possession and/or Distribution of Illegal Substances and Witnesses

- The interviewing procedure as described in the Behaviour Policy will be followed;
- Police involvement.

The Secretary of State would expect the police to be informed when illegal drugs are found on a pupil or on school premises. The police will be informed:

- in cases of pushing or dealing;
- where Class A drugs are involved;
- where a separate police investigation is likely.

Record Keeping

Throughout the investigation, a running log will be kept with decisions dated, timed and reasons given in one investigation book.

⁶ 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 to commit an offence or to cause personal injury to, or damage to the property of, any person (including the pupil). (DfE "[Searching, Screening and Confiscation – Advice for schools](#)" July 2022)

Sanctions

The Secretary of State advises against automatic expulsion: "*the fact that certain behaviour could constitute a violation of the criminal law should not in itself be taken as automatically leading to the exclusion of a pupil.*" Nevertheless, any pupil associated with a drug offence while under the school's jurisdiction in term time will lose the automatic right to membership of the school.

- **'Pushing' or aggressive supplying** - is regarded as the most serious form of offence. This would likely result in expulsion;
- **Selling or otherwise supplying** - Even 'selling' drugs, which prima facie is a particularly serious matter, may in practice seem less so; for example, one of a group of friends may be commissioned by the group to provide them with drugs, the cost of which will be shared by the group. Nevertheless, the parents of any member of the school supplying drugs are likely to be asked to remove the pupil from the school;
- **Possessing and using** - an offender will be punished in such a manner as the Principal may deem fit given the circumstances and consideration having been given to the previous record of the pupil.

Conditions of Return

If the Principal should decide that the pupil should be allowed to remain at the school, it would be on a Behaviour Contract and on the condition that the pupil would be expected to submit to random testing in the future. A pupil testing positive in such a test would be required to leave the school. The main reason for the decision not to expel any pupil involved in taking drugs is that it is hoped that it will encourage honesty and allow a pupil to admit having made a grave mistake. It might also create an opportunity for pupils to reveal the source of supply of the drugs involved. It will also permit the school to support such a pupil given a firm and clear undertaking that such a mistake will not be repeated.

Aftercare

The pupil who is asked to leave

Should parents make such a request, the Principal will make every effort to help the pupil into a new school. It must be remembered that the new school may wish to impose conditions of entry.

The pupil who is allowed to stay

It is important that any pupil who is allowed to remain in the school is allowed adequate opportunity to redeem him/herself and to move forward positively. The school will offer a programme of counselling and effective pastoral care in such cases and will work with the parents to ensure appropriate support for all involved.

Conclusions

In our handling of drugs related incidents, we shall endeavour to ensure that:

- there is no pre-judgement of the pupil(s);
- the procedures are fair, unbiased and impartial;
- all investigations that appear necessary are carried out;
- measures are taken to ensure proper care for the well-being of the pupil(s);
- the pupil(s) and parents are given a proper opportunity to be heard;
- in the case of expulsion, the pupil and parents are informed of the consequences and are reminded of the school's mechanism for appeal.

ALCOHOL

Context

Alcohol is readily available and generally considered socially acceptable in most, although not all, cultural groups. The most recent national survey⁷ found that, although the average amount consumed as a whole appears to be stable or declining, a significant proportion of pupils drink a lot. Around half of pupils who drank alcohol in the last week drank six or more units, including 22% who drank 15 or more units during the week. To avoid risks to their health, adult men are currently recommended to drink no more than 21 units a week, adult women no more than 14. So, this level of consumption in 11 to 15 year olds is a cause of concern, particularly as it is likely to be drunk across one or two days only. Given its prevalence and the vulnerability of young people to the impact of alcohol misuse and changes in drinking behaviours, educating pupils about the impact of alcohol and how to reduce alcohol-related harm is an important priority for the school.

The school has a responsibility:

- to educate pupils in the use and hazards of abuse of alcoholic drinks;
- To ensure that consumption of alcohol within the school is strictly controlled.

The first of these responsibilities is discharged through PSHE lessons, in tutorials and by lectures given by external consultants. Nevertheless, the more often members of staff can reinforce the message about the potential dangers of alcohol, the better. The fact that the school is prepared to allow only older members of the school to consume alcohol, and then only under supervision, is consistent with our second aim and our belief that exposure to alcohol should not begin too early. To that end:

- Staff should not offer pupils alcoholic drinks, under any circumstances, outside organised school events;
- A distinction should be drawn between spirits as opposed to wines and beers;
- No child in the school may bring alcoholic drinks into the school or be in possession of alcoholic drinks at any time.

Sanctions

- First offence - will be dealt with in an appropriate manner by the Housemaster/Housemistress in consultation with the relevant Head of section/Deputy Head: parents will be informed. Should the incident involve the use of spirits, it is likely that the pupils involved will be suspended;
- Second offence - will be dealt with by the relevant Head of section/ Deputy Head at their discretion and may result in suspension: parents will be informed;
- Subsequent offences are likely to attract the ultimate sanction of exclusion. However, each incident will be dealt with on its own merits and support will always accompany any

⁷ 'Smoking, drinking and drug use among young people in England in 2014' – a survey carried out for the Health and Social Care Information Centre by NatCen Social Research and the National Foundation for Educational Research.

sanctions imposed.

Alcohol at social events

As we are very concerned about the pupils' attitude to alcohol, we must ensure that we have a consistent standard when we are entertaining them, or they us, at team dinners, socials etc.

The following guidelines should apply:

- Spirits are never to be consumed;
- Only Sixth Form pupils, over 16 years old, should be given alcoholic drinks and a strict limit adhered to (usually a maximum of 2 drinks);
- Where Sixth Form pupils, over 16 years old are present alcohol, (beer, wine and cider) will only be consumed during the service of a table meal;
- One of the schools Designated Premises Supervisors (DPS) will be present or a person that has been pre- authorised by the DPS;
- Every supply of alcohol under the premises licence must be authorised by a person who holds a personal licence;
- At any function where staff and students are present, the staff must take responsibility for regulating the consumption of alcohol by the pupils and the behaviour of the pupils;
- Any pupil arriving at a function having consumed alcohol will not be admitted. If a boarder, the HsM will be contacted; if a day pupil, parents/ guardians will be contacted to collect the pupil.

Mixed messages

It is important that pupils do not receive mixed messages concerning the use of alcohol. We hope that parents will support the school by ensuring that the availability of alcoholic drinks is very strictly monitored at home and at functions attended by parents and their children.

SMOKING AND VAPING

King's Ely recognises the risks to health from smoking, passive smoking and vaping. 'Smoking' refers to the possession, use and sale of tobacco in all its forms, such as cigarettes, and its related paraphernalia, such as pipes, lighters etc. and includes e-cigarettes and vapes. It is the aim of the school to promote a healthy and clean environment and there is a strict NO SMOKING Policy.

Context

Pupils are aware that smoking is an antisocial habit that is damaging to health. Research has also revealed that virtually all those who become involved in smoking cannabis have smoked tobacco, the majority being regular smokers. It is also clear that vaping is used as a means to ingest illegal drugs such as THC and 'spice'.

The School therefore takes seriously its responsibility to reduce the number of those in its community that smoke or vape. It has always attempted to educate and influence pupils through PSHE in the classroom, but this is extended to tutor groups and also to conversation at other times. The school also seeks to make it difficult for pupils to smoke or vape in and around school premises without detection and punishment.

No Smoking Policy

King's Ely operates a smoke free site. Smoking is an unhealthy and antisocial habit as well as being illegal in all public places. As it is not in pupils' best interests to smoke, we discourage it in any way possible. Pupils who are caught vaping/smoking or have obviously been vaping/smoking or who are in possession of vaping/smoking paraphernalia will be punished in an attempt to discourage them from doing so again.

In King's Ely Senior and King's Ely International:

- First offence - a Friday detention spent reviewing the evidence concerning smoking and related diseases; parents will be informed by their HsM;
- Second offence - a Saturday detention. Parents will be informed by the Deputy Head.;
- Subsequent offence(s): are likely to result in suspension, at the discretion of the Head of KES.

Please note that smoking inside a building (which is a breach of UK law), which presents an immediate danger to pupils, is likely to result in suspension.

In King's Ely Junior, due to the age of the students, we would suspend immediately for a first, on site offence (and offer counselling) and then exclude for a second, on site breach of the rule.

Pupils who smoke but wish to give up will be given every support by Tutors, Housemasters, Housemistresses, the Medical Centre Staff and the School Doctor.

USEFUL CONTACTS

- For friendly, confidential advice on drugs 24 hours a day, call FRANK on 0300 123 6600.

You can also email through the Contact FRANK page on www.talktofrank.com.

- Adfam is a national organization working with and for families affected by drugs and alcohol – www.adfam.org.uk
- ASH (Action on Smoking and Health) aims to reduce the health problems caused by tobacco – www.ash.org.uk.
- Drinkline is a free and confidential helpline for anyone who is concerned about their own or someone else's drinking 0800 917 8282.
- Childline provides a free 24-hour helpline for children or young people in trouble or danger – 0800 11 11 or www.childline.org.uk
- Young Minds provides free confidential advice for any adult with concerns about the mental health of a young person – www.youngminds.org.uk