

# Hadlow College

## Alcohol, Substance Misuse and Obscene Materials Procedure

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## **Scope and Purpose of Procedure**

The College operates a zero tolerance on drugs, alcohol, substance misuse, obscene materials and Peer on Peer Abuse.

This procedure is intended to ensure that Hadlow College is consistent in the way it tackles possession of obscene material, instances of alcohol and substance abuse both in terms of its legal obligations, its support for staff and students and internal procedures. The procedure applies to all students, staff and visitors to the College.

The substances covered by this procedure are alcohol, legal highs and illegal drugs. This procedure also includes the use or misuse of substances regulated by COSHH (Control of Substances Hazardous to Health).

Possession/exchange or selling of obscene Material is also covered by the procedure and may apply to material downloaded to mobile phones and devices or other equipment, recordings and written text.

The purpose of the procedure is to ensure that students and staff:

- Have an appropriate learning environment which is protected from the damaging effects of alcohol, substance misuse and obscene materials
- Are protected from the pressures of illegal trading in substances and obscene materials
- Have access to alcohol, obscene materials and drugs education programmes
- Are made aware of the issues relating to misuse of these substances and possessing/exchanging or selling obscene Materials
- Are encouraged to access appropriate support for difficulties resulting from misuse of substances, alcohol and obscene materials

## **Procedure Statement**

Hadlow College is committed to the safe and efficient delivery of its services, to promoting the health and wellbeing of its students and employees and to the provision of a safe working environment.

The College will endeavour to counter and respond to the purchase, sale, use and possession of:

- Alcohol, Drugs, Substances and obscene Materials in line with Legislation.

The College Bar and any temporary Bar will have systems in place to counter underage drinking and excessive drinking.

Students working in the Bar must be 18 years or over.

The College library and IT departments follow strict guidelines on the availability and access to obscene material.

The College will comply with the relevant legislation and promote a corporate culture where obscene material, substance and alcohol misuse is not tolerated, to which end the College will work collaboratively with the Police and other local groups.

The College will help to protect students and its employees from the dangers of alcohol and substances misuse and will encourage those with a problem to seek help.

The College will endeavour to raise awareness of substance and alcohol abuse and its consequences by providing up to date information about alcohol and drugs and details of local treatment and support services.

### **Linked Policies**

- Child and Vulnerable Adult Protection Policy and Procedures
- Online-Safety Policy
- Safeguarding Policy and Procedures
- Student Disciplinary Policy and Procedures
- ICT Rules and Regulations
- Health and Safety Policies
- Tutorial Guidance
- Complaints Policy and Procedures
- Bullying and Harassment (Peer on Peer Abuse) Policy and Procedures
- Staff Code of Conduct
- ICT Rules and Regulations and Procedures Document

## **Implementation of Procedure**

All members of staff are required to be aware of and enforce the Alcohol, Substance Misuse and Obscene Material Procedure, and take steps to prevent the possession and use of obscene material, controlled drugs and abuse of alcohol and other substances on College premises. Incidents involving obscene materials, alcohol or substance misuse should not be viewed as just the responsibility of a small number of individuals within the College. In order to ensure effective implementation of the procedure, staff development will be available and links with local support groups will be maintained.

### **A. Drug/Alcohol and obscene material education, information and advice**

1. Throughout the group tutorial programme and other College activities such as welfare campaigns, drug and alcohol education information will be available for students. It will also be made clear that the possession and use of obscene material, controlled drugs and abuse of alcohol is not tolerated by the College and those students/staff who are in breach of these relevant College regulations will be subject to the normal disciplinary procedures.
2. Guidance will be provided to Managers and Tutors about the recognition of drug and alcohol misuse and the College's procedure for responding to misuse.
3. Confidential advice is available for students or staff with drug/alcohol related problems.

### **B. Dealing with suspicion of alcohol/substance abuse or possession of obscene material**

1. If a student or member of staff suspects an individual of possessing obscene material or alcohol/substance misuse they should discuss their concerns with the student's Personal Tutor and/or Head of Faculty/ Head of Student Support to agree an appropriate course of action.
2. Additional advice can be sought from Student Support Services regarding stop and search procedures as appropriate.

### **C. Discovery of suspected substances within College premises**

1. Where a suspected substance is found within College premises, a senior member of staff should be informed at once. The senior member of staff will instigate an investigation and take appropriate action, which could include contact with medical services or contact with the Police.
2. Where a student is involved, the student will be suspended by a member of SMT pending an investigation, (see Disciplinary Policy and Procedures).
3. The Head of Faculty or Head of Student Support will instruct the team to investigate the incident as appropriate

4. If it is a member of staff who is involved in alcohol/substance misuse or accessing obscene material, Human Resources must be notified as soon as possible.

5. If illegal substances are found, a record of the find needs to be kept. The police should be informed immediately. The substance should be placed in an envelope and held by Student Support Services until the police arrive or further guidance is provided by the police.

**D. Individuals found under the influence of alcohol or an illegal or banned substance (substance abuse)**

1. Anyone finding an individual under the influence of any substance whilst on College premises should contact the Head of Student Support, Head of Faculty or another SMT member and the following procedures will be pursued as soon as is practicable. (Refer to the Disciplinary Policy and Procedures).

2. The individual may be suspended by Head of Faculty/Head of Student Support / Principal or asked to leave the premises provided they have been assessed as safe to do so.

3. If the individual's condition indicates that his/her health and safety may be at risk contact First Aid and the emergency services if necessary, so that she/he can be offered support and medical assistance.

4. The first aid report will be sent to Health and Safety, who will notify the appropriate senior member of staff if required.

5. If the student is under 18 their course, parents, carer or guardian will be informed and where appropriate asked to collect or arrange safe transport home.

6. The individual will be subject to disciplinary action. However, supportive measures should also be instigated such as Alcohol or Drug Misuse awareness. Students may also be signposted to external support groups as appropriate.

**E. If a member of staff suspects that a student in his/her class is under the influence of substance abuse then the following procedure should be followed:**

1. Ask the student to leave the classroom with you or call for assistance from another member of staff.

2. The student should be escorted by a member of the curriculum team or Student Support Services. Once the concerns have been communicated to the member of staff, you can return to your classroom. Do not leave the student unsupervised.

3. If it is clear that the student is unable to work effectively, is potentially disruptive or could cause health and safety problems, then the student's parents, carer or guardian, if under 18, will be contacted in order to arrange for the student to return home.

4. If the student is 18 or over, the welfare and safety of the student will be considered before making a decision on asking the student to leave the premises
5. If a student is a resident and their condition warrants it, they may stay in the medical room or their room and remain under regular observation until such time as they can leave safely.
6. A written report will be made of the incident. This report will form part of the investigation and which may necessitate further action under the Student/Staff Disciplinary Policy and Procedures.
7. If the police need to be involved, the Head of Student Support will either contact them or ask a member of the Student Support Service team or curriculum member to do this.

**F. Staff or students found to be suspected of or involved in the selling of obscene materials or illegal substances on College premises**

1. Anyone found to be involved in the selling or supplying of obscene materials or illegal substances will be referred to the Head of Student Support or other Senior Manager, immediately suspended pending a disciplinary hearing, which may lead to exclusion from College.
2. The College operates a zero tolerance on incidents relating to drugs and substance misuse and the selling or exchange of obscene materials.
3. The College will inform the police as necessary, which may result in prosecution.
4. Where there are child or vulnerable adult protection issues the Designated Safeguarding Lead (DSL) will follow reporting procedures, which also includes reporting the incident to the police.
5. If the student is under 18, , the parent, carer or guardian will be informed of the situation.

**G. Other persons found to be suspected of or, involved in the selling of obscene materials or illegal substances on College premises**

1. The police will be informed if other persons are suspected to be involved in the selling or supplying of obscene materials or illegal substances on College premises.
2. Such individuals should be kept under observation, as far as is possible, until police presence is available.
3. A member of SMT must be notified of the situation.

**H. Informing parents where students are under 18 at the start of their course, or a vulnerable adult**

1. Parents will be notified at the earliest opportunity of the situation. Every encouragement should be given to the student to tell parents him/herself. Support should be provided to do this wherever possible.
2. Consideration should be given to the most appropriate manner of communicating with the parents.
3. Consideration should be given to the likely support parents may need themselves. This may be the provision of information regarding various support groups such as external drugs advisory services available from Student Support Services.
4. Support Resources and Sign Posting
  - KCA Drug, Alcohol and Mental Health Service- <http://www.kca.org.uk/> Support for young people aged 16-18 years of age.
  - Turning Point- <http://www.turning-point.co.uk/> Support for people aged 19+ years of age.
  - Talk to Frank, online advice and resources- <http://www.talktofrank.com/>

**I. Where a student or member of staff wishes to seek help with a problem relating to substance abuse**

1. Students and staff who wish to seek help with a problem related to substance abuse should seek advice, information or referral from the Student Support Services or Human Resources.

**J. Possession of Obscene Materials**

1. Students who are found in possession of obscene material or caught supplying or selling obscene material will be subject to the Disciplinary Policy and Procedure.
2. The student will be suspended pending an investigation. The Head of Student Support or another member of SMT must be contacted
3. The DSL will contact social care services and/or the police and/or the Local Authority Designated Officer (LADO).
4. If the student is under 18, the parent or guardian must be contacted.

**K. Authority to stop and search without consent of the person**

1. In line with the 2011, Education Act and the Violent Crime Reduction Act, FE Colleges have the power to carry out both consensual and/or non-consensual searches of students whilst on College property or taking part in off-site College activities.



2. The College Principal and those staff authorised by the Principal, have a statutory power to search students or their possessions where there are reasonable grounds for suspecting that the student may have a prohibited item.
3. All students are prohibited from carrying:
  - Dangerous weapons such as knives etc.
  - Illegal drugs. The College will extend this to include legal highs and other prohibited substances.
  - Stolen items
  - Alcohol- Although it is not illegal for those 18 or over to have alcohol in their possession, as part of the College rules, alcohol is not allowed on College premises, apart from Grove Farm Residential Accommodation or the designated bar or food areas as appropriate, therefore alcohol is a prohibited substance for the purpose of stop and search.
4. Students are also prohibited from carrying:
  - Fireworks
  - Pornography
5. In addition to the above, the College Principal and their appointees, have a statutory power to search students or their possessions, without consent, for any article that the member of staff reasonably suspects has been, or is likely to be:
  - Used to commit an offence
  - Used to cause personal injury to another person
  - Used to damage the property of another person
6. The College Principal and their appointees can seize any prohibited item found as a result of a search.
7. If a student refuses to allow the appointed member of staff to search their possessions or person, the staff member has a legal right to do so and will ask the student to co-operate. If they refuse or aggressive, the police will be called to support the staff member.

#### 8. Stop and Search Procedures

Education have robust powers for stop and search under the Education Act, if there is a suspicion of any of the above categories.

#### **With consent searches**

- College are not required to have formal written consent from the student for this sort of search. It is enough for a member of staff to ask a student to turn out their pockets or ask if the staff member can look in their bag or locker and for the student to agree.
- The member of staff must be the same sex as the student being searched, there must be a witness present (staff member)
- Possessions which can be searched including clothing and goods over which the student has or appears to have control e.g. lockers, bags

- Staff should ask if there are any sharp objects or anything that can harm them before looking through belongings or searching items of clothing
- Staff should encourage the student to empty out the contents of bags, lockers, pockets so they can carry out a search of outer clothing garments

**Without consent searches**

- Where a student refuses to consent to a search, if it is illegal for the student to have a suspected prohibited item in their possession, the police will be contacted.