

DfE and ACPO Drug Advice for Schools

January 2012



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DRUGS AND DRUG-RELATED INCIDENTS

ADVICE FOR LOCAL AUTHORITIES, HEAD TEACHERS, SCHOOL STAFF AND GOVERNING BODIES FROM THE DEPARTMENT FOR EDUCATION AND THE ASSOCIATION OF CHIEF POLICE OFFICERS

Introduction

1. This is advice from the Department for Education and the Association of Chief Police Officers. It is non-statutory and has been produced to help answer some of the most common questions raised by school staff in this area, as well as promoting understanding of the relevant powers and duties in relation to powers to search for and confiscate drugs, liaison with the police and with parents.
2. Where the document refers to drugs, this includes alcohol, tobacco, illegal drugs, medicines, novel psychoactive substances (“legal highs”) and volatile substances, unless otherwise specified.
3. This guidance does not focus on drug education. It covers broader behaviour and pastoral support, as well as managing drugs and drug-related incidents within schools.

Review Date

4. This advice will be reviewed before September 2012 in order to reflect the extended powers of search without consent in the 2011 Education Act.

Who is this advice for?

5. The advice is primarily for:
 - Head teachers, school staff and governing bodies in maintained schools, academies, independent schools, sixth form colleges, Pupil Referral Units (PRUs) and other forms of alternative education provision.
6. It may also be useful for:
 - Local authorities;
 - Parents;
 - School nurses and other health professionals, who have an input on drug issues;
 - The police and local agencies working with individual schools to prevent drug misuse amongst pupils.

Key Points

- Pupils affected by their own or other's drug misuse should have early access to support through the school and other local services;
- Schools are strongly advised to have a written drugs policy to act as a central reference point for all school staff;
- It is helpful for a senior member of staff to have responsibility for this policy and for liaising with the local police and support services.

The Role of Schools

7. As part of the [statutory duty](#) on schools to promote pupils' wellbeing, they have a clear role to play in preventing drug misuse as part of their pastoral responsibilities. To support this, the Government's [Drug Strategy 2010](#) ensures that school staff have the information, advice and power to:

- Provide accurate information on drugs and alcohol through education and targeted information via the [FRANK](#) service;
- Tackle problem behaviour in schools, with wider powers of search and confiscation;
- Work with local voluntary organisations, the police and others to prevent drug or alcohol misuse.

What Schools Can Do

- Develop a drugs policy which sets out their role in relation to all drug matters – this includes the content and organisation of drug education, and the management of drugs and medicines within school boundaries and on school trips. A drug policy framework can be found at Annex A.
- Have a designated, senior member of staff with responsibility for the drug policy and all drug issues within the school.
- Develop drug policies in consultation with the whole school community including pupils, parents/carers, staff, governors and partner agencies.
- Establish relationships with local children and young people's services, health services and voluntary sector organisations to ensure support is available to pupils affected by drug misuse (including parental drug or alcohol problems). Links to supportive national organisations are included at the end of this document.

Searching and Confiscation

8. Separate guidance on searching and can be found in [Screening, Searching and Confiscation: Advice for Head Teachers, Staff and Governing Bodies](#).

General power to confiscate

9. 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.

10. Where the person finds 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 novel psychoactive substances or 'legal highs'. If school staff are unable to identify the legal status of a drug, it should be treated as a controlled drug.

Involving parents and dealing with complaints

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

12. There is no legal requirement to make or keep a record of a search, but is advisable in order to respond to any future complaint by a pupil or parent.

13. Schools would normally 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.

14. Complaints about searching should be dealt with through the normal school complaints procedure.

Working with the Police

15. A senior member of staff who is responsible for the school's drugs policy should liaise with the police and agree a shared approach to dealing with drug-related incidents. This approach should be updated as part of a regular review of the policy.

Legal drugs

16. The police will not normally need to be involved in incidents involving legal drugs, but schools may wish to inform trading standards or police about the inappropriate sale or supply of tobacco, alcohol or volatile substances to pupils in the local area.

Controlled drugs

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

- ensure that a second adult witness is present throughout;
- 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 (see below).

Drug Dogs and Drug Testing

18. The Association of Chief Police Officers (ACPO) recommends that drug dogs should not be used for searches where there is no evidence for the presence of drugs on school premises. However schools may choose to make use of drug dogs or strategies if they wish. It is advisable that the school consults with the local police.

Responding to Drug Related Incidents

19. School staff are best placed to decide on the most appropriate response to tackling drugs within their school. This is most effective when:

- it is supported by the whole school community;
- drug education is part of a well-planned programme of PSHE education delivered in a supportive environment, where pupils are aware of the school rules, feel able to engage in open discussion and feel confident about asking for help if necessary;
- staff have access to high quality training and support.

20. Schools should ensure that pupils have access to and knowledge of up-to-date information on sources of help (Annex B). 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.

21. These sources can be used as part of, or in addition to, the school's own drug and alcohol education.

Discipline

22. Any 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 schools should follow their own disciplinary procedures.

23. Exclusion should not be the automatic response to a drug incident and permanent exclusion should only be used in serious cases. More detail on excluding pupils can be found in the DfE [Exclusion Guidance](#).

24. Drug use can be a symptom of other problems and schools should be ready to involve or refer pupils to other services when needed. It is important that schools are aware of the relevant youth and family support services available in their local area.

25. Sources of advice and local services should be listed in the school drug policy for reference. Some local authorities may also provide lists of sources of support for schools. The senior member of staff responsible for drugs should have established relationships with local agencies to understand what support is available.

Early Intervention

26. Schools can have a key role in identifying pupils at risk of drug misuse. The process of identifying needs should aim to distinguish those who require general information and education, those who could benefit from targeted prevention, and those who require a more detailed assessment of their needs.

Pupils whose parents/carers or family members misuse drugs

27. Schools will be alert to behaviour which might indicate that the child is experiencing difficult home circumstances. Most are pro-active in the early identification of children's and young people's needs and in safeguarding the children in their care. Screening is important in assessing needs. Where problems are observed or suspected, or if a child chooses to disclose that there are difficulties at home and it is not deemed a safeguarding issue, the school will follow the procedures set out in its drug policy. This should include protocols for assessing the pupil's welfare and support needs and when and how to involve other sources of support for the child such as Children's Services, services commissioned by the Drug and Alcohol Action Teams (DAAT) programmes and, where appropriate, the family.

Confidentiality

28. Schools need to have regard to issues of confidentiality (although staff cannot promise total confidentiality to pupils). More information on confidentiality can be found in [Working Together to Safeguard Children](#) (March 2010).

Tobacco – Smoke Free Schools

29. Schools are subject to the same smoke free legislation as other premises and most schools go much further.

30. In most schools:

- The school is a smoke-free site (though if there is a caretaker's house this may be excepted);
- Children, young people, staff, parents/carers and governors have been involved in the development and implementation of a smoke-free site;
- The school provides information and support for smokers to quit e.g. promoting access to smoking cessation classes, which may be provided on the school site.

31. Children and young people should understand the non-smoking policy.

Managing Medicines

32. Some pupils may require medicines that have been prescribed for their medical condition during the school day. More detailed information can be found in [Managing Medicines in Schools and Early Years Settings](#)

Suggested Drug Policy Framework

Development process

- State the date of approval and adoption, and the date for the next major review.
- Describe the development process and how the whole school community was involved.
- Insert the signatures of the head teacher, a governor, key personnel (and pupil representative if appropriate).

Location and dissemination

- Outline the dissemination plans and where a reference copy of the policy can reliably be found. Parts of the policy may be replicated or referred to in other school publications.

The context of the policy and its relationship to other policies

- Outline the links with other written policies on, for example, the school mission/ethos statement, behaviour, health and safety, medicines, confidentiality, pastoral support, healthy schools, school visits and child protection.

Local and national references

- Specify useful national and local documents, for example, this and other government advice, Local Authority information and local Healthy Schools or similar documentation on which the policy has drawn.

The purpose of the policy

- Identify the functions of the policy, showing how it reflects the whole school ethos and the whole school approach to health.

State where and to whom the policy applies

- For example, all staff, pupils, parents/carers, governors and partner agencies working with schools.
- Specify the school's boundaries and jurisdiction of the policy's provisions.
- Clarify how the policy applies to pupils educated in part within further education or other provision.

Definitions and terminology

- Define the term 'drugs' and clarify the meanings of other key terms. The definition should include reference to medicines, volatile substances, alcohol, tobacco, illegal drugs and other unauthorised substances.

The school's stance towards drugs, health and the needs of pupils

- Include a clear statement that illegal and other unauthorised drugs are not acceptable within the boundaries identified within the policy.
- Outline school rules with regard to authorised drugs and make links to the school policy on medicines.

- Explain that the first concern in managing drugs is the health and safety of the school's community and meeting the pastoral needs of pupils.

Staff with key responsibility for drugs

- Specify the named members of staff who will oversee and coordinate drug issues and their key roles and responsibilities. Head teachers may also wish to record those members of staff with the authority to search pupils, although there is no legal requirement to keep such a record.

Staff support and training

- Outline induction and drug awareness training arrangements for all staff working at the school and relevant governors.
- Outline specific continuing professional development opportunities for drug education teachers and how this will be cascaded.

Management of drugs at school and on school trips

- Describe the policy on dealing with drug paraphernalia and suspected illegal and unauthorised drugs.
- Outline storage, disposal and safety guidance for staff.
- Make explicit the school's policy on searches, including personal searches and searches of school and pupils' property.
- Outline strategies for thorough investigation of events and personal circumstances. Outline strategies for responding to any incidents involving illegal and other unauthorised drugs, including initiating screening, pre-CAF/CAF and the range of options for responding to the identified needs of those involved.
- Outline procedures for managing parents/carers under the influence of drugs on school premises.

Police involvement

- Outline the agreed criteria for if and when police should be informed, consulted or actively involved in an incident, and what action is expected if police involvement is requested.
- Include name and contact details for the school's liaison officer.

The needs of pupils

- Outline the mechanisms for addressing the wider support needs of pupils and how pupils are made aware of the various internal and external support structures.

Working with external agencies

- Outline the relationship with local partner agencies and the roles negotiated with them for supporting pupils and their families and agreed protocols for referral.
- List local services and national helplines/websites.

Information sharing

- Specify the school's approach to sharing information and how it will secure pupils' and, where necessary, parent/carers' agreement for this.
- Specify the school's approach to ensuring that sensitive information is only disclosed internally or externally with careful attention to pupils' rights and needs.
- Outline local safeguarding to be followed if a pupil's safety is considered under threat, including incidences of parental drug or alcohol misuse (or make links to relevant school policy).

Involvement of parents/carers

- Include the policy for informing and involving parents/carers about incidents involving illegal and other unauthorised drugs.
- Outline the school's approach to encouraging parental involvement in developing and reviewing the policy and in their child's drug education.

The role of governors

- State the arrangements for ensuring that governors are well informed on drugs issues as they affect the school.
- Outline the role of governors (or a designated governor if appointed) in policy development and overseeing the drug education programme, and contributing to any case conferences called, or appeals against exclusions.

Liaison with other schools

- Explain where schools are working together, for example: the drug education curriculum, the management of incidents, training opportunities and transitions between schools.

Liaison with other agencies

- State negotiated and agreed procedures for collaborating with local agencies that can offer targeted and specialist support to pupils needing either.

Staff conduct and drugs

- State the arrangements for ensuring that staff are aware of their responsibilities in relation to drinking and other drug use in school hours and on school trips.

Useful Organisations

Addaction is one of the UK's largest specialist drug and alcohol treatment charities. As well as adult services, they provide services specifically tailored to the needs of young people and their parents. The Skills for Life project supports young people with drug misusing parents.

www.addaction.org.uk

ADFAM offers information to families of drug and alcohol users, and the website has a database of local family support services.

Tel: 020 7553 7640 Email: admin@adfam.org.uk Website: www.adfam.org.uk

Alcohol Concern works to reduce the incidence and costs of alcohol-related harm and to increase the range and quality of services available to people with alcohol-related problems.

Tel: 020 7264 0510. Email: contact@alcoholconcern.org.uk

Website: www.alcoholconcern.org.uk

ASH (Action on Smoking and Health) A campaigning public health charity aiming to reduce the health problems caused by tobacco. Tel: 020 7739 5902 Email: enquiries@ash.org.uk

Website: www.ash.org.uk

Children's Legal Centre operates a free and confidential legal advice and information service covering all aspects of law and policy affecting children and young people.

Tel: 01206 877910 Email: clc@essex.ac.uk Website: www.childrenslegalcentre.com

Children's Rights Alliance for England - A charity working to improve the lives and status of all children in England through the fullest implementation of the UN Convention on the Rights of the Child.

Email: info@crae.org.uk Website: www.crae.org.uk

Drinkaware - An independent charity that promotes responsible drinking through innovative ways to challenge the national drinking culture, helping reduce alcohol misuse and minimize alcohol related harm. Tel: 020 7307 7450 Website: www.drinkaware.co.uk/

Drinkline - A free and confidential helpline for anyone who is concerned about their own or someone else's drinking. Tel: 0800 917 8282 (lines are open 24 hours a day)

Drug Education Forum (DEF) - A forum of national organisations in England which provide drug education to children and young people or offer a service to those who do.

Tel: 020 7739 8494 Website: www.drugeducationforum.co.uk

DrugScope is a centre of expertise on illegal drugs, aiming to inform policy development and reduce drug-related risk. The website includes detailed drug information and access to the Information and Library Service. DrugScope also hosts the Drug Education Practitioners Forum.

Tel: 020 7520 7550 Email: info@drugscope.org.uk Website: www.drugscope.org.uk

FRANK is the national drugs awareness campaign aiming to raise awareness amongst young people of the risks of illegal drugs, and to provide information and advice. It also provides support to parents/carers, helping to give them the skills and confidence to communicate with their children about drugs.

24 Hour Helpline: 0800 77 66 00

Email: frank@talktofrank.com Website: www.talktofrank.com

Schools can receive free FRANK resource materials, updates and newsletters by registering at <http://ddshl.broadssystem.com/freeleaflets.aspx>

Mentor UK is a non-government organisation with a focus on protecting the health and well-being of children and young people to reduce the damage that drugs can do to their lives.
Tel: 01509 221 622. Email secretariat@mentorfoundation.org
Website: www.mentorfoundation.org

National Children's Bureau promotes the interests and well-being of all children and young people across every aspect of their lives.
Tel: 020 7843 6000 Website: www.ncb.org.uk

Family Lives - A charity offering support and information to anyone parenting a child or teenager. It runs a free-phone helpline and courses for parents, and develops innovative projects.
Tel: 0800 800 2222 Website: <http://familylives.org.uk/>

Re-Solv (Society for the Prevention of Solvent and Volatile Substance Abuse)
A national charity providing information for teachers, other professionals, parents and young people.
Tel: 01785 817885 Information line: 01785 810762 Email: information@re-solv.org Website: www.re-solv.org

Smokefree - NHS Smoking Helpline: 0800 169 0 169
Website: <http://smokefree.nhs.uk>

Stars National Initiative offers support for anyone working with children, young people and families affected by parental drug and alcohol misuse.
www.starsnationalinitiative.org.uk

Directgov Young People can help young people with information and advice on issues relating to health, housing, relationships with family and friends, career and learning options, money, as well as helping young people find out about activities they can get involved in.
<http://www.direct.gov.uk/en/YoungPeople/index.htm>

Youth Offending Teams – Local Youth Offending Teams are multi-agency teams and are the responsibility of the local authority, who have a statutory duty to [prevent offending by young people under the age of 18.
<http://www.justice.gov.uk/global/contacts/yjb/yots/index.htm>