



## New Perspectives School Drugs, Alcohol & Tobacco Policy

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## **DRUGS, ALCOHOL AND TOBACCO POLICY**

**The possession, use or supply of illegal and other unauthorised drugs by staff, children and visitors is wholly unacceptable.**

### **1. Introduction**

We recognise our duty under the [Education Act 2002](#) to make arrangements to ensure that functions are carried out with a view to safeguarding and promoting the welfare of children and comply with [The Education \(Independent School Standards\) Regulations 2014](#).

New Perspectives School acknowledges the obligations associated with the [UN Convention on the Rights of the Child \(UNCRC\)](#), the [Children Act 1989](#), the [Human Rights Act 1998](#) and the [Equality Act 2010](#). We also follow current DfE guidance, '[Keeping children safe in education](#)' (2023), '[Working Together to Safeguard Children 2023](#)<sup>1</sup>', HM Government advice '[What to do if you're worried a child is being abused](#)' (2015) and the Local Safeguarding Children Partnership's<sup>2</sup> policies, procedures, guidance and protocols.

New Perspectives School has adopted the definition of a 'drug' as "any substance people take to change the way they feel, think or behave", which in turn can affect motivation, judgement, concentration and coordination. It includes all:

- over the counter (PRN) and prescription medicines.
- legal drugs such as alcohol, tobacco and volatile substances (those giving off a gas or vapour which can be inhaled).
- controlled drugs (as defined under the [Misuse of Drugs Act 1971](#)); and
- psychoactive substances and new psychoactive drugs (NPS) (even where these are not banned under the [Misuse of Drugs Act 1971](#)).

We recognise the importance of effective health and safety management in compliance with the [Health & Safety at Work etc. Act 1974](#) and [The Management of Health and Safety at Work Regulations 1992](#); and acknowledge our responsibility for ensuring the health, safety and welfare of all those we work with, especially our employees, children and visitors to our premises.

We also acknowledge that we have a key role to play in providing drug education and pastoral support to children; and identifying children vulnerable to drug misuse, so that those who need extra help receive it, either at New Perspectives School or through referral to other services.

This policy and all associated procedures apply to all staff (including all members of Care Perspectives Ltd (New Perspectives School's parent company) Senior Leadership Team, Governors, consultants, agency staff, volunteers, students on placement and any other individual working for, or on behalf of New Perspectives School), children and visitors and should be read in conjunction with other safeguarding and employment policies including (not an exhaustive list):

- Administration of Medication Policy
- Anti-Bullying Policy
- Behaviour Policy
- Child Protection Policy
- Complaints Policy
- Curriculum Policy
- Equality and Diversity Policy
- Suspensions and Exclusion Policy

- Grievance Procedure
- Health and Safety Policy
- Missing from Education Policy
- Off-Site Visits Policy
- Online Safety Policy
- Safer Recruitment Policy
- Restrictive Physical Intervention (RPI) Policy
- Safe Working Practice Policy (Code of Conduct)
- Searching, Screening and Confiscation Policy
- Self-Harm Policy
- Whistle Blowing Policy

Failure to comply with these policies and procedures may result in disciplinary action, which might include summary dismissal (and referral to the [Disclosure and Barring Service](#) and the [Teacher Regulation Agency \(TRA\)](#), where appropriate) or termination of agreement or contract.

## **2. Drug education**

We help children to develop their knowledge and understanding of issues associated with medicines, alcohol, tobacco and other drugs, in a variety of circumstances. Specific guidance and support are offered on an individual basis, as and when appropriate.

Relevant themes are also explored through PSHE (Personal, Social and Health Education) and other areas of the curriculum.

In discussing drug-related issues with children, staff must adopt an open and consistent approach, which is sensitive to the fact that children may have varying attitudes towards drugs, which are influenced by their cultural and religious backgrounds, their life experiences, beliefs and values.

However, it is wholly unacceptable for staff to discuss their recreational use/misuse of alcohol, medication, volatile substances or controlled drugs with children, under any circumstances.

The need to safeguard and promote children's well-being and self-esteem must take precedence over the beliefs and preferences of staff.

## **3. Roles and responsibilities**

The Governing Board of New Perspectives School endorses this policy and has delegated responsibility for its effective operation to the Head Teacher. For further information on the **roles and responsibilities** of the Designated Person, see Appendix 1.

All staff must report and record any drug-related issues, associated with children, staff and visitors, to the Head Teacher.

## **4. Smoking**

Under the [Health Act 2006](#) and associated regulations, it is illegal for any person to smoke in an enclosed workplace, public place or vehicle. Thus, smoking is prohibited in all buildings and vehicles owned, hired or leased for New Perspectives School business.

Staff are encouraged to seek assistance in stopping smoking and are strictly forbidden to smoke on any part of the New Perspectives School site.

We recognise that smoking is a serious health risk and nicotine addiction is a significant issue for many of our children. We actively discourage smoking by offering:

- information and support to manage the addiction; and
- signposting and/or access to approved smoking cessation programmes.

**The possession and use of e-cigarettes and associated paraphernalia by staff, children and visitors will be treated in the same way as tobacco cigarettes and related products.**

### **5. Authorised drug use**

Some children have a legitimate reason for using prescribed and over the counter (PRN) medicines and New Perspectives School has clear policies on the administration, storage and disposal of such drugs. For further information, see our 'Administration of Medication Policy'.

### **6. Reporting, recording and responding to drug-related incidents involving children**

The consumption of alcohol, volatile and illegal substances by children is strictly forbidden at New Perspectives School and children are discouraged from indulging in such risk-taking behaviour elsewhere.

Any inappropriate behaviour, associated with drugs and alcohol, (confirmed or otherwise) must be reported to the Head Teacher and recorded on CPOMS, as soon as is reasonably possible (and normally within 24 hours of the incident); and will be addressed in accordance with relevant policies, procedures and guidance.

However, our response always focuses on promoting and safeguarding the welfare of children; and all necessary support, including medical intervention, is offered to any child attending New Perspectives School, suffering from the effects of and/or addiction to any such substances.

Any risks associated with children offending, misusing drugs or alcohol and self-harming are documented and communicated to the adults who work with them. Where appropriate, plans and help will be put in place to reduce the risk of harm or actual harm and there is evidence that these risks are being minimised.

If you have any concerns that a child's behaviour may be associated with any of the following:

- child criminal exploitation (CCE), such as county lines
- child sexual exploitation (CSE)
- female genital mutilation (FGM)
- forced marriage
- involvement in gangs
- radicalisation and/or violent extremism
- peer on peer abuse, including sexual violence and sexual harassment

you must immediately refer the matter to Michelle Baker, Head Teacher & Designated Safeguarding Lead (DSL), or, in her absence, the Deputy Head Teacher, Elizabeth Hammond, in accordance with our 'Safeguarding and Child Protection Policy'. **If you feel that there is an immediate danger to the life of the individual or others, then call 999.**

### **7. New Psychoactive Substances (“legal highs”)**

New Psychoactive Substances (NPS) are drugs that are designed to replicate the effects of illegal substances. While many people may refer to these drugs as “legal highs”, this term is often misleading and factually inaccurate. Many of these substances are now under the control of the [Misuse of Drugs Act 1971](#) and some NPS products contain illegal substances. Most NPS fall into one of five categories based on their effects. Examples include TNT, Spice, Ivory Wave, Black Mamba and nitrous oxide.

The possession, consumption or supply of new psychoactive substances will be treated in the same way as all other unauthorised drugs. If there is any uncertainty about what the substance is, it should be treated as a controlled drug, regulated by the Misuse of Drugs Act 1971.

For more information on drugs, including NPS, visit the Talk to Frank website [www.talktofrank.com](http://www.talktofrank.com)

For more information on new psychoactive substances, please refer to [Home Office \(2016\) ‘New Psychoactive Substances \(NPS\) resource pack’](#)

### **8. Searching children for drugs, alcohol and tobacco**

In accordance with DfE Guidance<sup>3</sup>, school staff can search a pupil for any item if the pupil agrees.

Head Teachers and staff authorised by them also 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. However, **where there is a suspicion that such items are concealed, staff must try to obtain them with the child's co-operation.**

Prohibited items include:

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

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<sup>3</sup> DfE guidance [‘Searching, screening and confiscation’ \(2022\)](#).

The power to search without consent enables a 'personal search', involving the removal of outer garments and searching of pockets only. Staff are not authorised to conduct an intimate search, under any circumstances.

However, where a member of staff has reasonable grounds for suspecting that a child may be in possession of sharp, dangerous or illegal items, a decision whether or not to involve the police **before any search**, will be made by the Head Teacher. For further information, see our 'Searching, Screening and Confiscation Policy'.

Where, during a search, **alcohol, tobacco or cigarette papers** are found, the school can dispose of them, as they think appropriate. **However, it would be unlawful to return them to the pupil.**

Controlled drugs must be delivered to the police, as soon as possible, unless there is a 'good reason' not to do so. In determining what is a 'good reason' the member of staff should take into account all relevant circumstances and use their professional judgement to determine whether they can safely dispose of the prohibited item.

Bag searches may be conducted and recorded, in accordance with relevant policies, procedures and guidance. For further information, see our 'Searching, Screening and Confiscation Policy'.

## **9. Staff training**

New Perspectives School is committed to training all professional staff in effective drug and alcohol awareness.

## **10. Staff use of medication**

While staff may have a legitimate reason for using prescribed and over the counter (PRN) medicines while on duty or on-call; you must have regard for the effects that taking medication may have on your motivation, judgement, concentration and coordination.

With this in mind, you are required to notify your Head Teacher or line manager in writing of

- all medication you are taking, that **may** adversely impact on your ability to perform your assigned role and responsibilities safely and effectively; whether or not the medicine has had any potential effect to date. For example, in the case of starting a new medication (this excludes any contraceptive medicines).
- any significant changes in the dose or frequency of such medication; and the potential impact on your ability to perform your assigned role and responsibilities.

Failure to do so may result in disciplinary action. All information will be treated in the strictest confidence.

Where appropriate, the supervisor/line manager will conduct a risk assessment in respect of the individual and their condition, the medication prescribed, any potential side effects, safe and appropriate storage and actions to be taken in the event of an emergency.

Where the potential risk to the member of staff, children, colleagues or others is considered significant, the supervisor/line manager should consult with one or more of the following, as appropriate:

- medical professionals
- Business Manager
- Care Perspectives HR

All prescribed and over the counter medication brought on to our premises must:

- be stored securely, out of sight and reach of children, in a locked room, with restricted access.
- be in its original container, as dispensed by the pharmacist and include the original pharmacy label showing the name of the member of staff, where appropriate.

Staff should only bring a reasonable quantity of medication on to site – thus reducing the potential risk if a child was to gain unauthorised access to it.

### **11. Staff conduct, drugs and alcohol**

The consumption of alcohol, volatile and illegal substances (including NPS products), while on duty or on-call (including during paid or unpaid breaks), is strictly forbidden.

You must also be aware of the effects that drugs and alcohol consumed outside working hours may have on your ability to fulfil your roles and responsibilities safely and effectively, whilst on duty or on-call. Particular care must be taken during the hours leading up to a period of working time.

Attendance on New Perspectives School premises, under the influence of alcohol, volatile and illegal substances (including NPS products) consumed outside working hours is also strictly forbidden; irrespective of whether or not you are on duty or on-call.

Staff are always responsible and accountable for their own conduct, and this includes when attending work-related meetings, functions and events. Employees' behaviour must always conform to the setting's high expectations, irrespective of the day, time or location of the engagement. You must not behave in a way that could lead a reasonable person to question your conduct, intentions or suitability to care for other people's children; or bring New Perspectives School into disrepute, whether in front of colleagues, clients or members of the public.

### **12. Responding to drug and/or alcohol-related concerns involving staff**

All employees have a duty of care to our children, staff and visitors and New Perspectives School recognises that in certain circumstances, a drug or alcohol problem can be a health matter and would encourage employees who know or suspect they have a problem, to seek help as soon as possible. **For confidential information, advice and assistance, please contact the Head Teacher, Business Manager or HR.**

As a first step, an employee should normally approach their line manager. Employees, who are unwilling or unable to approach their line manager, should contact the Head Teacher.

While we will address any drug-related dependency constructively and sensitively, any:

- wilful production, possession, consumption, storage, supply or purchase of illegal drugs.
- wilful production, possession, consumption, storage, supply or purchase of illegal tobacco.
- unauthorised possession, consumption, storage, supply or purchase of controlled drugs; and

- unauthorised possession, consumption, storage, supply or purchase of alcohol.

will culminate in disciplinary action and may be reported to the police. The misuse of prescribed and over the counter (PRN) medicines will also be treated in the same way.

If a member of staff identifies or suspects a colleague may have a possible drug- or alcohol-related problem, they must not, even with the best of intentions, 'cover-up' for, or collude with them, but instead should encourage the individual to seek help and report their concerns to the employee's supervisor or line manager. Staff who are unwilling or unable to approach the relevant supervisor or line manager should approach the Head Teacher.

***Any concern regarding the Head Teacher must be referred to the Governing Board Safeguarding Lead Rodrigo Ferreira via email [r.ferreira@careperspectives.co.uk](mailto:r.ferreira@careperspectives.co.uk) or telephone 07515 611910***

For further information on **responding to drug and/or alcohol-related concerns involving staff**, see Appendix 2.

### **13. Confiscation and disposal**

All controlled and unauthorised drugs will be confiscated and disposed of, in accordance with best practice. Needles and syringes should be placed in a sharps container, where available, and disposed of via the local GP surgery.

### **14. Seeking the views of children, parents, carers, local authorities and staff**

Regular enquires are made of all children as to how safe they feel at New Perspectives School and ways in which services and outcomes can be improved. The views of parents, carers, local authorities and staff are also sought through termly surveys for consultation and feedback. Records are kept of these as well as any associated actions.

### **15. Safeguarding and child protection**

New Perspectives School will always consider whether a child's behaviour gives cause to suspect that they are suffering, or are likely to suffer, significant harm; or whether their behaviour might be the result of unmet educational or other needs. All child protection concerns will be addressed in accordance with our 'Child Protection Policy'.

### **16. Drug-related incidents outside of New Perspectives School's premises**

Where a drug-related incident outside of our premises is observed by and/or reported to staff, a decision whether or not to intervene will be made by the Head Teacher.

### **17. Police involvement**

Careful, child-centred decision-making is made about reporting their behaviour to the police, though appropriate notifications are always made and clearly documented.

If the behaviour could be criminal or poses a serious threat to a member of the public, the police should always be informed.



[NPCC When to call the police: Guidance for schools and colleges](#) should help senior staff understand when they should consider calling the police and what to expect when they do.

A decision whether or not to involve the police in a drug-related incident will be made by the Head Teacher.

## **18. Complaints**

Children, staff, parents, carers, and any other adult with parental responsibility (e.g., social worker) or other local authority representatives are all able to complain to New Perspectives School if they are unhappy with any aspect of the education or care provided. All complaints are taken seriously and will be dealt with without delay. For further information, see our 'Complaints Policy'.

All complaints concerning allegations of child abuse will always be addressed in accordance with our 'Child Protection Policy'.

## **19. Implementation, monitoring, evaluation and review**

The designated senior member of staff with overall responsibility for the implementation, monitoring and evaluation of the 'Drugs, Alcohol & Tobacco Policy' is the Head Teacher.

The designated member of staff is also responsible for ensuring that all children, staff, parents, carers and placing local authorities are aware of our policy. Additional support would also be provided to any parent or significant person, wishing to know more about the policy and procedures outlined above. A copy of this policy document is available for inspection on the premises during office hours (term time only) and an electronic copy is posted on our website.

This policy document will be reviewed and publicised in writing, at least annually and, if necessary, more frequently in response to any significant incidents or new developments in national, local and organisational policy, guidance and practice.

### Roles and responsibilities

The designated senior member of staff with overall responsibility for all drug-related issues at New Perspectives School is the Head Teacher.

The role of the Designated Person is to:

- oversee the planning and co-ordination of drug education.
- monitor, evaluate and review the provision of drug education.
- provide advice, guidance and support to staff involved in/affected by drug-related incidents.
- provide advice, guidance and support to children involved in/affected by drug-related incidents.
- take responsibility for managing drug-related incidents, in accordance with New Perspectives School's policy and procedures.
- notify the Safeguarding Board Member about ALL child protection concerns that warrant discussion with parents, carers or an external agency/professional, including the local multi-agency safeguarding hub (or equivalent), Designated Officer, police or children's social care ***including the allocated social worker***; within 24 hours of the concern being reported; and record all relevant information on CPOMS.

It is the responsibility of all staff to report and record any drug-related issues relating to children, staff and visitors to senior staff.

### Responding to a drug and/or alcohol-related incident involving staff

New Perspectives School has a general duty under the [Health & Safety at Work etc. Act 1974](#), to ensure the health, safety and welfare of all those we work with, especially our employees, children and visitors to our premises.

#### 2.1 Drug, alcohol and tobacco-related searches

To safeguard you (for example, against unfounded suspicions or allegations), and to ensure compliance with this policy (for example, if there is reasonable cause to believe you may have infringed this policy), New Perspectives School reserves the right to search your personal workspace and property including bags, lockers and vehicles. You may also be asked to turn out the contents of your pockets and remove outer clothing such as shoes, jacket, hat etc.

Searches will only be conducted with your consent and that of the Head Teacher. All searches will be undertaken by a member of staff of the same sex as you, who has been authorised to do so. A witness will also be present during any search. Due care will be taken to maintain your dignity and privacy, as much as possible; and all relevant details will be recorded.

If you unreasonably refuse to undergo a search, the Head Teacher may call the police and act on their instructions. In such cases, you may be suspended on full pay pending an investigation, which may result in disciplinary action up to and including dismissal.

#### 2.2 Medical examination

If there is a reasonable suspicion that there has been a breach of this policy, or that a member of staff's conduct, or performance at work, has been impaired, because of drug or alcohol use, our Disciplinary Procedure will be invoked.

In investigating the matter, however, New Perspectives School may require the employee to undergo a medical examination and/or drug test, to determine the cause of the problem.

Where drug testing takes place, the member of staff will be asked to consent to the process and provide a sample of urine, hair, saliva or blood, as appropriate - the individual will always be told what drugs are being tested for and why.

If having undergone a medical examination and/or drug test, it is confirmed that the member of staff has no underlying drug or alcohol problem, the School will continue to deal with the matter, under its Disciplinary Procedure.

If having undergone a medical examination and/or drug test, it is confirmed that the member of staff has tested positive for a controlled drug and/or the individual admits to having a drug and/or alcohol problem; the School reserves the right to suspend the employee from work on full pay, pending a decision about whether to deal with the matter under the terms of the Disciplinary Procedure or to refer the employee for treatment and rehabilitation.

#### 2.3 Identifying the need for referral

Any member of staff, who believes that they may have a drug and/or alcohol problem, is encouraged to seek specialist help, as soon as possible. **For confidential information, advice and assistance, please contact the Head Teacher, Business Manager or HR.**

If a member of staff requests assistance from New Perspectives School or Care Perspectives Ltd, before any concerns about work-related conduct or performance having been identified and providing any such disclosure does not present any cause for concern from a safeguarding perspective, the matter will be kept confidential.

However, if time off work is required for a recovery programme, or there is a requirement to change an employee's duties or working environment, the Head Teacher will need to be informed.

If a supervisor or line manager, identifies a member of staff with poor health, attendance or work-related conduct or performance, which they believe may be due to a drug- or alcohol-related problem, line manager should consult with the Head Teacher and contact the Care Perspectives Ltd People Manager.

***Any concern regarding the Head Teacher must be referred to the Governing Board Safeguarding Lead Rodrigo Ferreira via email [r.ferreira@careperspectives.co.uk](mailto:r.ferreira@careperspectives.co.uk) or telephone 07515 611910***

The line manager etc. will then arrange to interview the member of staff. The purpose of the interview is to:

- discuss, with the member of staff, their concerning conduct, performance and/or behaviour; and ask if they wish to comment.
- inform the employee of the possible disciplinary consequences, in continuing with the present pattern of conduct, performance and/or behaviour.
- offer the employee a referral to occupational health, for medical advice.
- determine whether disciplinary action will be taken, with regard to the original concern.

If the employee rejects an offer of referral to occupational health, then the Head Teacher should make a full assessment of the situation, and decide whether it is appropriate, to take disciplinary action.

#### **2.4 Referral**

Where, during the interview, a member of staff accepts a referral to occupational health, for assessment, the Head Teacher should contact the Care Perspectives Ltd People Manager.

If occupational health does not confirm the existence of an alcohol- or drug-related problem or any other relevant health problem, the Head Teacher should make a full assessment of the situation and decide whether it is appropriate to take disciplinary action, in relation to the original conduct, performance and/or behaviour.

If occupational health confirms the existence of an alcohol- or drug-related problem, it may refer the member of staff to a specialist agency. If the employee rejects an offer of referral by occupational health, the Head Teacher should make a full assessment of the situation and decide whether it is appropriate to take disciplinary action, in relation to the original conduct, performance and/or behaviour.

The specialist agency could recommend a treatment programme, which might be:

- on an in-patient basis.
- on a day-care basis.
- on an out-patient basis; or
- at home.

If the employee rejects the treatment programme, offered by the specialist agency, the Head Teacher should make a full assessment of the situation, and decide whether it is appropriate to take disciplinary action, in relation to the original conduct, performance and/or behaviour.

If the employee accepts the treatment programme offered by the specialist agency and is considered unfit to work, occupational health will liaise with the Care Perspectives People Manager, who will, in turn, inform the Head Teacher.

The Head Teacher will be advised that the staff member has a problem, which contributes to their impaired conduct, performance and/or behaviour, specifying the recommended timescales for recovery and time off work.

Following treatment, the Head Teacher should meet with the employee to convey the leadership's expectations of conduct, performance and/or behaviour in future. It must be emphasised that disciplinary action can be started or resumed, at any time, if conduct, performance and/or behaviour warrant it.

Where a member of staff remains at work while taking part in a treatment and rehabilitation programme, New Perspectives School reserves the right to redeploy any individual from working directly with children.

If the working environment is believed to be contributing to a dependency problem, then the line manager will take all reasonable steps to address the matter, in consultation with the Head Teacher and the member of staff concerned.

If the treatment programme is discontinued:

- by the employee; or
- by the treatment agency, because of lack of progress,

The HR Team will inform the Head Teacher, who should interview the employee and determine whether disciplinary action should be taken.