

HEATHFIELD COMMUNITY SCHOOL



DRUGS POLICY



Written with reference to the following DfE documents :

- DfE and ACPS drug advice for students – September 2012
- Searching, screening and confiscation - January 2018 (Appendix 8)

Last reviewed : February 2019
Next review : February 2021
Reviewer : Nicola Patmore – Deputy Head

SECTION 1

Guidelines for the Management of Substance Related Incidents

THE PURPOSE OF THIS DOCUMENT

This document sets out guidelines which equip all staff (*teaching and non-teaching*) with a set of procedures to follow in the event of student drug use or possession **on the school premises**.

Additionally schools must secure a safe environment for learning, Every Child Matters emphasises the school's role in ensuring vulnerable young people are able to access appropriate support if needed.

This policy review has taken place with reference to statement of intent / entitlement for drugs and education. (See Appendix 4.)

POLICY CONTENT

This policy needs to be recognised within the context of Heathfield as a Health Promoting School.

It seeks to underpin and reinforce the Health Education Curriculum.

It seeks to support staff, students, parents and the community by promoting a structured procedure through ensuring a consistency of interpretation and implementation.

The Policy was reviewed by the Pastoral Assistant Head, PSHE Coordinator and Head of Science. It has been circulated for approval to the Governing Body and is available to parents.

We have a Link Governor for Health Education.

An effective policy will be :

- Fully understood by all
- Consistent and fair
- Communicated to parents / carers
- Underpinned by a positive ethos and good working relationships
- Accepted for what it is - a document which requires good practice and further support (*e.g. agencies*) to implement it both pragmatically and as part of the work of a caring institution.
- This policy can be accessed by all staff in the main office.
- Copies have been circulated to:
 - SLT
 - Year Heads
 - Course Director - The SPACE (Post 16)
 - Child Protection named staff
 - School Nurse
 - PSHE Coordinator

THE AIMS OF THIS POLICY

The school drugs policy aims :

- To safeguard the health and well-being of all students at all times.
- To consider all drugs - legal, medicinal and illegal and to respond constructively to the issue raised by their availability and use in society.
- To outline the aims and organisation of the school drug education programme.
- To provide clear guidance to staff about procedures for managing drug-related incidents.

OBJECTIVES

In order to achieve its aims the school will :

- Keep students informed about the effects of legal and illegal drugs.
- Access a process of appropriate help for students who perceive themselves, or whom the school or parent / carer perceives as having a problem with drug usage.

CONTEXT

Health Education is concerned with quality of life. It includes not only the imparting of knowledge about what is beneficial and what is harmful but also involves the development of skills which will enable individuals to use their knowledge effectively. Health Education is about assisting students to make informed choices. Where 'drugs' are the issue it is primary prevention (*non-use of drugs in the first place*) that is the aim. In circumstances where students have chosen to/continued to experiment, harm reduction would be a priority. This recognises that the use and misuse of substances have to be considered within the context of a society where the use of such substances as tobacco, alcohol, caffeine and prescribed medication are accepted as part of everyday life for many people.

This policy is divided into sections which define standard disciplinary procedures for action, i.e:

- 1) Illegal drugs
- 2) Tobacco and "Vapes"
- 3) Alcohol
- 4) Solvents and "Legal Highs"
- 5) Over the counter drugs
- 6) Individual's prescribed medication

This document recognises the integral role but does not cover curriculum context or pro-active strategies. These can be found in existing schemes of work.

Definition

A drug is defined as a chemical substance which can change the way a human body works, either physiologically or psychologically.

NETWORK

In assessing the nature and degree of the problem key staff, primarily Year Heads, have been identified who have the professional judgement (*and training*) to determine the appropriate course of action. Full consultation with the Head is essential.

Expert advice from other agencies can be sought, e.g. Somerset Direct. We also work closely with the School Nurse, Team 4 (Adolescent Support Workers), Childrens Social Care, the Police, Somerset Drugs and Alcohol Service (SDAS), Youth Offending Teams and FRANK (National Drugs Service).

Resource information and agency contact numbers can be obtained from our PSHE Coordinator

or Pastoral Deputy Head.

Self-Referral

Students who have worries about drugs can talk to any member of staff and should be supported by the school. The relevant Year Head will be informed and they should be made aware of the help available from outside agencies. However, if in addition to their worries about drugs, admittance to the possession and/or use of illegal substances in school is made known to a member of staff the Year Head must report to the Head on the same day who will ensure the parent/guardian is informed (*if appropriate*).

Procedures

1) *Unauthorised Drugs*

- a) A student found in possession of or using illegal drugs will immediately be brought to the Year Head, Assistant Head, Deputy Head or Head. Under no circumstances should the student be left on his/her own. In the case of Year Head he/she will then notify the Head (*or SLT member in his absence*).
- b) The student should be questioned concerning the nature and quantity of drugs used and a decision made regarding their physical well-being. If they are in danger or unconscious appropriate action will be taken (*see Appendix 1*).
- c) The drugs will be disposed of in the correct manner (*see Appendix 2*).
- d) The parent/carer will be contacted. Every support should be given to both the student and the parents by the school. The school should offer access to outside agencies. Follow-up help should aim to prevent further incidence of substance misuse and clear guidelines given to the students regarding his/her role within the school, including counselling (*internally and, if appropriate, with outside agencies*).
- e) If the Head finds suspension/exclusion a necessary course of action then the usual procedures will be followed regarding re-admittance or otherwise. Individual cases will vary, although drugs awareness sessions with the school nurse may be a compulsory part of readmission.
- f) The Head should notify the Chair of Governors with regard to any illegal drug incident (within 48 hours).
- g) At Heathfield Community School we have adopted the use of SUST in order to ascertain the needs of the young people in regards to substance use/misuse. SUST (Somerset Young People Substance Use Screening Tool) may be introduced in the following circumstances :
 - In response to a substance use/misuse related incident.
 - On request for help concerning substance use/misuse.

* Medication prescribed to others and medication inappropriately taken will also require

the same Senior Management intervention.

The Child Protection Team or appropriate SLT member at Heathfield Community School will aim to establish the level of a young person's substance use/misuse by meeting with the young person to ascertain :

- the level of use – a CRAFFT Form can be used (See Appendix 6).
- the level of knowledge of substances.
- the level of harm/risk associated with use (including child protection concerns).
- whether a referral to 'SDAS' (Somerset Drugs & Alcohol Service), including Turning Point or joint working is required.
- what advice and information work needs to be carried out by external agencies.

Advice and information on drugs and alcohol is available from a range of :

- organisations in Somerset that can offer advice, information and education about different substances. They can also signpost to other drug and alcohol services if needed.
- national and local websites that can provide up to date information.

The national drugs helpline FRANK is a good place to start if you just want information about different drugs and alcohol, their effects and UK law. It runs 24 hours a day, seven days a week providing free and confidential advice and information.

2.) Tobacco and Vapes

Smoking (including Vaping) is not allowed in school. Students suspected of smoking (or with others who are suspected of smoking) will be dealt with in line with the school behaviour policy (Senior Staff detention → suspension) - (See also Appendix 3).

3.) Alcohol

- a) Any student found in possession of/consuming alcohol/under the influence of alcohol on the school site will be referred to the appropriate Year Head or Senior Teacher.
- b) It will be established if the student is in any danger from consumption of alcohol. If so, appropriate action will be taken, including the following :
 - Contacting the local surgery or getting the student to hospital.
 - Any remaining alcohol will be removed.
 - The student will be given advice and guidance.
 - The parent/carer will be contacted immediately (in the case of a student who is 17 years or over their named contact person will be contacted) and asked to collect the student from school. An intoxicated student or one smelling of alcohol should not remain in contact with other students. Every step will be taken to establish if the student has a drink problem and needs help from outside agencies.
 - A student who has been sent home from school will be expected to attend an

interview with the appropriate Year Head or Senior Teacher in the company of their parent/carer. An assessment will be made of any further support the student is in need of in partnership with the parent/carer (students aged 17 or over are classed as Youths and are not covered by this same requirement to have a parent/carer present).

4.) Solvents and Legal Highs

- a) A student who is discovered in possession of or suspected of having used a solvent or legal high in a situation where it is being inhaled or ingested (has been or about to be) will immediately be brought to the Year Head or Senior member of staff. Should emergency medical assistance be required, action as Appendix 1 will be taken.
- b) That person will confiscate, label (date and initial) and place in a secure place until parents/carers have been informed (or police where appropriate). The substance will then be disposed of.
- c) The parent/carer will be notified immediately.
- d) The student will be supported and advised that solvents and legal highs are a non-socially acceptable drug in our society. The dangers to health are not necessarily cumulative. Every effort will be made to encourage immediate cessation. Second or subsequent offences will normally incur suspension. Outside agency support will be offered to the student and parent/guardian.

5.) Over the counter drugs (KS3 + 4)

- a) Students must not be given over the counter drugs in school.
- b) Students are not allowed to carry any over the counter drugs in school. If their own are required these must be handed to the office on arrival with a request for school to administer medication form completed. On a school trip the member of staff will act in loco parentis (*parents should have completed a medical slip prior to the trip*).

6.) Individual Prescribed Medicine (KS3 + 4)

(Our policy takes account of the recommendations found in the managing Medicines in Schools and Early Years Settings DfES / DH Guidance March 2005).

If a parent/carer states that a child requires medication to keep down the effects of a non-serious illness then the school, to meet its responsibilities in loco parentis, may take such steps in relation to the administration of medicine as any ordinary parent would take. This might range from administering an antibiotic to counter the pain of an ear infection to simply reminding an asthmatic to use their inhaler (*students are responsible for providing their own inhaler. They are encouraged to provide a 'spare', held in the school office, for emergencies if appropriate. The same will apply to epipens, insulin and other prescribed drugs related to a student's own medical condition*).

Heads should have regard for :

- (i) The nature of the medicine involved and whether it is reasonable for it to be administered at school.
- (ii) The adequacy of instruction given by the parent/carer to the school and/or child.

Parents will need to submit a request for school to administer medication form. However, if a child is not medically fit to attend school, or if a child carries dangerous medicines to school unsupervised, or the number of children requiring medicine is unreasonable, given the school's circumstances, a Head would be acting perfectly reasonably in refusing to accept responsibility for them or their administration and parents should be asked to make other arrangements. (In this instance the Chair of Governors will be informed.)

See also Medical Conditions Policy.

6) *Use of Prescribed controlled drugs on the premises (Years 12 and 13 only)*

Certain prescribed controlled drugs, such as morphine and pethidine, are not allowed on the premises. Special arrangements may need to be made in certain situations, like residential trips, where a student may need to possess and store prescribed controlled drugs. In some circumstances, written consent from parents (students under 18 years) and a note from the GP must be sought.

7) *Storage and Administration of Medicines (Years 12 and 13 only)*

- Students should be responsible for storing and taking their own medication (daily dose only).
- Where it is not possible to carry a "daily dosage" for example where an on-demand response is required or medication is prescribed in undividable amounts e.g. Salbutamol inhalers for asthmatics, individual storage arrangements will be made.

Severe Medical Conditions/Prescription Medicines

Students with severe conditions e.g. anaphylactic shock, severe asthma etc, have an Individual Healthcare Plan drawn up (*usually in Year 7 on transfer to secondary phase unless the condition (medical develops while at Heathfield)*). This is negotiated between parent/guardian and school/medical professionals may also be involved. It is signed by the Head and a copy sent to the parent.

APPENDIX 1

GENERAL EMERGENCY PROCEDURES

In order that all staff be familiar with the procedures described below each Year team will receive a short practical update annually. Non-teaching staff will receive updates during their half-termly meetings.

For the purpose of these Guidelines an emergency is considered to be either :

- a) A situation in which a student or students, staff or visitors are in danger.
- or : b) A sequence of events which requires urgent attention.

Emergency Action : For all members of the school community

The procedures for an emergency apply when a person is at immediate risk of harm. A person who is unconscious, having trouble breathing, seriously confused or disorientated or who has taken a harmful toxic substance, should be responded to as an emergency.

Your main responsibility is for any student at immediate risk, but you also need to ensure the well-being and safety of others. Put into practice your school's first-aid procedures.

Reporting an Accident : Instruction for students

If you are sent to the office to report an emergency you should give the following information clearly:

- 1) Ask to have the ambulance called.
- 2) Describe the accident you are reporting.
- 3) State the place in which the emergency is happening.
- 4) Say how many people are in danger; are they children or adults? Give names if you know them.
- 5) Say whether the person is conscious or unconscious.
- 6) Give your name and the name of the person who sent you to the office.
- 7) Wait to be told what to do next.

Office Procedures in the Event of an Emergency

- 1) Note the location of the casualty.
- 2) Dial 999 and summon the appropriate emergency services.
- 3) Send designated First Aid teacher to site of incident.
- 4) Note the time of the 999 call.
- 5) Note the name of the informant and if possible that of the casualty.
- 6) Identify the teacher who sent the informant.
- 7) Inform Senior Management of all the facts in your possession.
- 8) If appropriate, inform the Caretaker.
- 9) Ensure that someone is on stand-by to conduct the ambulance personnel to the casualty.
- 10) At the request of Senior Management, contact the parents/guardians of the casualty.

In this context First Aid has been defined as :

- Aid rendered as far as knowledge and skill exist, remembering that it is FIRST aid and that detailed treatment is a matter for the doctor or paramedic. The patient should be given every possible re-assurance and if absolutely necessary removed from danger.

(Head's Legal Guide, Croner Publication Ltd, London 1988)

- Concerns about possible allegations of negligence in the context of first aid may be alleviated by the following statement :

- Unless the incident is manifestly trivial, teachers should err on the side of caution, remembering that in law they would not be expected to be more responsible than a responsible caring parent/guardian.

(Based on information from the Teacher and the Law, Barrell, GR, Methuen, London 1958.)

- When, in the judgement of the Head, a student is considered to be at risk, but not necessarily in immediate physical danger, the only safe course of action is to release the student from school jurisdiction into the charge of a responsible adult or agency. The following procedure is recommended :

- The parents/guardians should be contacted to collect the student.
- If there is no response from parents/guardians, the school first needs to consider the likelihood of an unavoidable delay on the part of parents/guardians known to be supportive and responsible and to seek ways of coping without an escalation of the situation by referring to Social Services.
- Where a referral to Social Services is desirable or likely, it should be made early so that there can be joint planning for the child's care. If by the end of the day a response is not forthcoming, the Head may choose either to inform the Duty Officer of the local School Services Department, that given the circumstances, the school has no option but to deliver the student into their care at the local office, or alternatively to contact the local police station, in order for the Police to determine a response which will ensure the continuing safety of the student.
- The student remains the responsibility of the school until such time as a parent/guardian or a responding agency assumes that responsibility.

APPENDIX 2

DISCOVERY OF SUBSTANCES

If substances are discovered on the school premises or elsewhere within the school jurisdiction, the member of staff should adopt the following procedure :

- If the substance is in the possession of one or more students, the member of staff should remove it.
- Having removed the substance, record the place, date and time when the substance came into your possession. If possible, have the record countersigned - seize, place in bag/envelope and seal, record, secure, inform.
- Take the substance to the Head. Place the substance in a sealed envelope and sign and date the seal. Do not retain the substance on your person, or in a safe place. To do so may place you at risk. It is lawful to seize an item that is believed to be illegal in order to prevent an offence from being committed.
- The Head must contact the local police who will arrange for the substance to be collected. We are aware of the NPCC (National Police Chiefs Council)/DfES Joining Forces Guidance on police working in schools
<http://www.npcc.police.uk/asp/policies/Data/drugs%20school%20guidance.pdf> .
- Until that time, the Head is responsible for the safe-keeping of the substance. The item must not be taken home as the law is very specific regarding the disposal of controlled drugs and handling of them by unauthorised persons.
- If a student is directly involved when a substance is found, it is the Head's responsibility to notify the parents/carers concerned and instigate any further appropriate action.
- If any equipment associated with substance misuse is found, it should be handled with extreme care, for risk of infection. It should be stored in a secure and rigid container to await collection by the police. Telephone 101 - *non-emergencies*, in case of emergency dial 999.

The following information regarding legal aspects of the Misuse of Drugs Act 1971 may be useful :

- In any proceedings for an offence in which it is proved that the accused had a controlled drug* in his possession, it shall be a defence for him to prove :
 - a) That, knowing or suspecting it to be a controlled drug, he took possession of it for the purpose of preventing another from committing or continuing to commit an offence in connection with that drug and that as soon as possible after taking possession of it he took all such steps, as were reasonably open to him, to destroy that drug or deliver it into the custody of a person lawfully entitled to take custody of it. *(The police do not like members of the public to destroy the drug because of the risk of allegations.)*

- b) That, knowing or suspecting it to be a controlled drug, he took possession of it for the purpose of delivering it into the custody of a person lawfully entitled to take custody of it and that as soon as possible after taking possession of it he took all such steps as were reasonably open to him to deliver it into the custody of such a person.

In other words, it is a lawful defence to claim that you took possession of a drug to prevent a young person from committing or continuing to commit an offence under the Misuse of Drugs Act 1971, so long as you either destroy the drug, or hand it over to the police, as soon as possible.

* *A controlled drug is any drug which is 'controlled' by legislation (e.g. doctor's prescription or how it is classed - Class A, B, C, etc).*

The following information regarding legal aspects of the Misuse of Drugs Act 1971 should be made known to all members of staff :

Misuse of Drugs Act 1971

"In any proceedings for an offence which it is proved that the accused had a controlled drug in his/her possession, it is a defence if it can be shown that, knowing or suspecting it to be a controlled drug, the person took possession of it with the purpose of preventing another from committing, or continuing to commit an offence in conjunction with that drug, and that as soon as possible after taking possession of it the person took all such steps as were reasonably open to him/her to destroy the drug or deliver it into the custody of the police. Note that it is usually advisable not to destroy the substance (as a safeguard against allegations), however the most effective and acceptable means of destruction is to flush it down the lavatory."

SUPPLYING OF CONTROLLED DRUGS ON THE SCHOOL PREMISES

Any student who is discovered supplying controlled drugs on school premises will be dealt with under the disciplinary procedures outlined in this policy and the "Promoting Positive Behaviour" policy and the Police informed.

The student is usually permanently excluded.

Any other person i.e. non-student, who is discovered supplying controlled drugs on school premises, will be reported immediately to the Police.

STUDENTS UNDER THE INFLUENCE OF DRUGS / ALCOHOL

Staff who suspect students of being incapable of working safely or effectively as a result of taking illegal drugs, alcohol or other substances should report the matter to the Headteacher, or his deputy, who will deal with the matter under the discipline procedures outlined in this policy and "Promoting Positive Behaviour" policy.

RETURN TO SCHOOL

If a student is externally suspended because of an incident involving drugs it is the school policy that they should have to complete a drugs awareness session with our School Nurse as a condition of their readmittance.

When preparing information for release to the media senior staff may find it helpful to follow these principles :

- Be brief.
- Prepare a list of the key facts of the incident.
- Do not include any personal information about those involved.
- Avoid commenting on any unnecessary or irrelevant information, circumstances or events - in particular those that are outside the school's control.
- Include positive, reassuring statements that put the incident into context.
- Show that the incident is being managed seriously and effectively in line with the school's policy - and in cooperation with parents and local agencies.
- Talk to others involved to ensure that any comment made by the police or any other agency is consistent with the school's statement.
- Seek guidance from the LA or from the police.
- Ensure that any final media release goes through a clearance procedure to ensure that it is factually correct, adheres to policy and is authorised by the SMT/Head and the LA.
- If you are contacted unexpectedly, it is entirely reasonable to ring a reporter back following their call - this allows you time to formulate a response.

Remember that the media can be supportive of you in this and in other situations. Working within the media can often provide positive publicity for the school.

SUBSTANCES - THEIR RISKS AND EFFECTS

Category of Substances	Examples	Appearance	Consequences, Risks and Effects
Over the counter drugs	Aspirin	Tablets Powders Liquid	Stops pain, can be fatal in large doses. Stomach bleeding. Effects last several hours.
	Codeine	Tablets Liquid Like heroin, it is derived from the opium poppy	Stops pain, suppresses coughs, antidiarrhoeal. Effects last 3 - 6 hours. Non-medical use can cause restlessness and excitement.
	Paracetamol		A relatively small number of paracetamol taken at once can cause serious health damage or even fatality.
Prescribed	Tranquillisers e.g. : Valium Librium Ativan	Tablets	Relieve anxiety, cause relaxation and drowsiness. Can be fatal in large doses if taken with alcohol. Effects last several hours.
	Barbiturates	Powders made up into capsules. Taken orally sometimes injected.	Depress the central nervous system. A small dose has a similar effect to alcohol - can cause drowsiness. Very hazardous - a fatal overdose is very near the normal dose. Effects and risks greatly magnified when taken with alcohol. Injecting is especially dangerous. Effects last 3 - 6 hours.

Category of Substances	Examples	Appearance	Consequences, Risks and Effects
Drugs in social use	Alcohol	Liquid	Has a depressant effect, causing relaxation if taken in small amounts. Affects reaction time and concentration. In moderate amounts, co-ordination and speech are affected, and emotional reactions may be exaggerated. Large amounts can cause unconsciousness and death. Effects last several hours.
	Tobacco	Smoked in cigarettes, cigars and pipes	Contains nicotine which stimulates heart rate, increases blood supply and suppresses appetite. Users feel more relaxed. Effects last up to 30 minutes. An average of 5.5 minutes of life is lost for every cigarette smoked. Many students die up to 25 years earlier than they should. A cigarette contains 4000 chemicals - including carbon monoxide, tar, aberic, ammonia and hydrogen cyanide. Smokers die of heart attacks and lung cancer. Emphysema rots the lungs and makes breathing a real struggle. The carbon monoxide in cigarette smoke robs the system of oxygen. Smoking also increases heart rate and narrows blood vessels. That means smokers have less stamina. Smokers can't fight off infections so easily. They are more susceptible to coughs, colds, flu etc.
Depressant drugs	Opiates, such as heroin, morphine, codeine, qv, pethidine, Distalgesic	When obtained from non-medical sources, a white, greyish or brownish powder, often adulterated with talcum powder, flour, glucose powder or similar. Taken by swallowing, injecting, smoking by inhaling vapours of heroin heated on aluminium foil.	Small amounts stop pain, induce relaxation and a feeling of warmth. Moderate amounts depress the nervous system including reflexes such as heart rate, coughing and breathing rate. Suppress appetite. First use often causes nausea and vomiting. Effects last several hours.

Category of Substances	Examples	Appearance	Consequences, Risks and Effects
Stimulant drugs	Cocaine	White crystalline powder which is sniffed or sometimes injected	Causes sense of well-being, indifference to pain, feelings of physical strength and increased mental capacity. Sometimes anxiety or panic follows. Effects last up to 30 minutes. After-effects include fatigue and depression. Addiction.
	Crack	Derivative of cocaine <i>(Cocaine freebase)</i>	Addiction.
	Amphetamines	Tablets, capsules, off-white powder. Taken by mouth, sniffed, injected or smoked	Causes increased heart rate and breathing. User feels more energetic and confident. Anxiety and panic can follow. Effects last up to 4 hours. After-effects include tiredness. Recovery can take one or two days.
	Ecstasy	Tablets, white, brown, pink or yellow	Effects starts about 20 minutes and can last several hours. User can experience heightened perceptions of colours and sounds. Co-ordination may be affected. Those with heart conditions, subject to epileptic fits or mental illness should avoid.

Category of Substances	Examples	Appearance	Consequences, Risks and Effects
Hallucinogenic Drugs	Cannabis	Blocks of resin, in herbal form and as cannabis oil. Usually smoked in cigarettes. Can also be made into a drink or put in food.	Effects depend on mood, expectations and situation of user. The most common effects are relaxation, talkativeness and hilarity. Sound and colour sense are more acute. Effects may last some hours.
	LSD	White powder formed into tablets or capsules. Also found absorbed on paper or sugar cubes. Can be injected or inhaled.	Effects depend on mood and situation. Intensified and distorted sensory experiences are common. Emotional effects may include quasi-mystical experiences. Panic and depression are characteristics of 'bad trips'. Effects begin after 30 - 50 minutes and last up to 12 hours.
	Magic mushrooms	A wild mushroom eaten raw or cooked, brewed or preserved by drying. Usual dose for hallucinogenic effect is 20 - 30 mushrooms. In season September - November. Still a class A drug if treated but use is fairly uncommon.	Effects are similar to those with LSD qv though less marked. Other effects include hilarity and a sense of detachment and, at high doses, nausea, vomiting and stomach pains. Greater danger is in picking poisonous species in error. Effects develop from 30 minutes - 3 hours and last 4 - 9 hours.

	Ketamine	A horse tranquilliser is increasingly common at present.	Ketamine can cause perceptual changes like LSD, in addition to its effects on reducing bodily sensation. Users can trip for up to an hour and may feel after-effects for some hours. It can give the user an 'out of body' experience. Some users say it feels like their mind and body have been separated. In some cases, users may be physically incapable of moving while under the influence. You can become psychologically but not physically dependent on Ketamine.
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Category of Substances	Examples	Appearance	Consequences, Risks and Effects
Inhalants	Solvents	Glue, nail varnish remover, correcting fluid, paints, spirit-based felt-tipped marker pens	Effects include depression of heart rate and respiration which can cause unconsciousness. Very like being drunk. Effects are short-lived. After-effects may include a mild hangover. Risks include physical danger in an unsafe environment and choking on vomit during unconsciousness. Use of plastic bags to contain substance and heighten effect can cause suffocation. The most dangerous inhalant is aerosol gases which can cause <i>SSD (sudden sniffing death)</i> owing to the effect of the propellant on the respiratory system. Use is characterised by localised experimentation, especially among groups of boys in early adolescence although a small number become psychologically dependent solitary users.
'Legal Highs' (Legislation has now changed)	The packaging may describe a list of ingredients but you cannot be sure that this	'Legal highs' are no longer legal, they contain one or more chemical substance which produce similar	The main effects of almost all 'psychoactive' drugs, including those previously known as 'legal highs', can be described using three main categories:

<p><u>making the sale of them illegal)</u></p>	<p>is what the product will contain. May look like incense, salts or plant food.</p>	<p>effects to illegal drugs (like cocaine, cannabis and ecstasy). These new substances are now controlled under the Misuse of Drugs Act 1971. There is often not enough research about them to know about their potency, adverse effects from human consumption, or when used with other substances or alcohol.</p>	<ul style="list-style-type: none"> • stimulants • ‘downers’ or sedatives • psychedelics or hallucinogens <p>The effects of these range from making you feel :</p> <ul style="list-style-type: none"> • energised, physically active, fast-thinking, very chatty and euphoric. • euphoric, relaxed or sleepy. • warmth, ‘enlightenment’ and being detached from the world around.
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<p>Category of Substances</p>	<p>Examples</p>	<p>Appearance</p>	<p>Consequences, Risks and Effects</p>
<p>‘Legal Highs’</p> <p>(Legislation has now changed <u>making the sale of them illegal)</u></p> <p><i>Continued</i></p>		<p>We know that many ‘legal highs’ were sold under brand names like ‘Clockwork Orange’, ‘Bliss’, ‘Mary Jane’ and have been directly linked to poisoning, emergency hospital admissions including in mental health services and, in some cases, deaths. These are all now <u>illegal!</u></p>	

Taken from ‘Guidelines for the Management of Substance Related Incidents in Somerset Schools’.

POSSIBLE BEHAVIOURS WHICH MAY INDICATE SUBSTANCE MISUSE

- Noticeable difference in availability of money
- Theft of money and goods
- Parental reports of more time being spent away from home
- Parental reports of radical changes in behaviour
- Changes in punctuality or attendance
- Change in willingness to participate in school activities
- Decline in performance of school work
- Unusual outbreaks of temper and other changes in character
- Boisterous and silly behaviour and uncontrolled giggling
- Inflammation of the eye and marks around the nose and mouth
- Lack of appetite
- Smells which may be indicative of solvent abuse (*e.g. acetones*)
- Heavy smell of aftershave, perfume or other oils to disguise the smell of drugs
- Wearing sunglasses at inappropriate times to hide dilated or constricted pupils
- Wearing long sleeves at inappropriate times to hide injection marks
- Injection marks for which there is no known medical explanation, e.g. diabetes
- Unexplained blood marks on clothes
- Unreliable statements
- Secretive behaviour
- Changes in friendship patterns
- Use of substance-orientated language and written expression
- Decline in standards of physical co-ordination
- Significant changes in energy - lethargy or hyperactivity
- Fluctuations in emotional state from elation to depression
- Frequenting the toilets
- Changes in behaviour after break and/or lunch
- Non-attendance at lunch

APPENDIX 3

HEATHFIELD COMMUNITY SCHOOL SMOKING POLICY

Aims of the Policy

This policy aims to reinforce the Health Education curriculum and provide consistent messages and role models to pupils. It guarantees a healthy working and learning environment for the school's users by eliminating the risk of passive smoking.

The success of the policy depends upon the consideration and co-operation of **non-smokers** and smokers and the consistence of implementation by all.

Senior management should be encouraged to support members of staff who are smokers in their effort to adhere to the policy and, therefore, avoid them becoming alienated.

Implementation

- 1) All students, parents and community users will be notified of the policy in order to make the school a smoke-free zone.
- 2) Signs will be displayed to reinforce the policy.
- 3) Staff will inform visitors of the policy when necessary.
- 4) All job details sent to prospective applicants will include a copy of the policy but **will not** discriminate against smokers in respect of employment.
- 5) Services will be provided to help those who want to stop (*see end of policy*).
- 6) Supply teachers will be informed of the policy.
- 7) A POSITIVE ATTITUDE TO BEING 'SMOKE-FREE' IS CONSIDERED TO BE MORE EFFECTIVE THAN A NEGATIVE 'NO SMOKING' MESSAGE.

Procedure

- 1) Students are not allowed to bring cigarettes (*tobacco in any form or vapes*) to school.
- 2) Students are not allowed to smoke cigarettes or vapes at school. This includes the immediate environs, school minibuses and coaches, residential and day excursions/field trips.
- 3) A student who is found smoking is reported to the appropriate Year Head or Senior Teacher.
- 4) That person will confiscate the item(s).

- 5) The student will be given advice and guidance. During this discussion the 'advisor' will be able to determine the student's attitude to smoking - whether or not they view cessation as desirable and will be able to offer positive short-term and long-term assistance.
- 6) The Year Head or Senior Teacher will action the standard letter to parents explaining the situation and the disciplinary measures given by the school. This letter will also seek support from the home.
- 7) Disciplinary measures will be taken as outlined in the Behaviour Policy "Promoting Positive Behaviour" - graded sanctions from detention to suspension.
- 8) Heathfield Community School is a 'smoke-free' zone.
- 9) Parents are informed of and encouraged to support the policy.
- 10) Services will be provided to help those who want to stop smoking. Quit smoking workshops - run by outside agencies and school trained staff.

Smoking Sanctions (Years 7 – 11)

Any student caught smoking or in possession of smoking material in school or on the way to/from school will be given an after-school detention on Friday from 3.45pm to 4.45pm.

NB : Because it is sometimes hard to 'prove' who was and was not smoking, all students in a group where someone is smoking will be treated in the same way. The best advice is to make sure you're not anywhere near a group of students smoking or intending to smoke. That way you can't be found 'guilty by association' and there is less likelihood of a confrontation with lunchtime staff on duty.

Emphasis in the curriculum - subject, tutorial, pastoral is towards primary prevention of cigarette smoking and assisting cessation for smokers. Support will be given.

Support for smokers who want to give up

There are a variety of resources available on loan for schools to help deal with smoking in the curriculum and ways of helping people give up.

Annually the school supports 'National No Smoking Day'. Events are run by the Student Council and supported by staff and outside agencies.

A Smoking/Alcohol/Drugs Sanctions poster is displayed in the staffroom and form tutor bases.

CONTACTS

- Avon and Somerset Police 101 / 01275 816377
www.avonandsomerset.police.uk
- TALK TO FRANK
National Drugs Helpline 0300 123 6600
Text : 82111
www.talktofrank.com
- SDAS 0300 303 8788 / Helpline : 01823 328463
(Somerset Drugs & Alcohol Service) Email : somerset.das@cgl.org.uk
SDAP Email : sdap@somerset.gov.uk
(Somerset Drugs & Alcohol Partnership) www.somersetdap.org.uk
- TURNING POINT 01823 328463 - Taunton
Needles, syringe disposal 01278 456561 - Bridgwater
(Grounds Maintenance)
- Stop Smoking (NHS helpline) 0800 169 0169
Email : stopsmoking@sompar.nhs.uk
www.nhs.uk/smokefree/
- Somerset Local Safeguarding Children's Board (LSCB) 0300 123 3078
www.somerset.gov.uk
www.somersetsafeguardingchildrenboard.org.uk
- GET SET 01823 322508 / 01643 700030
(Taunton & West Somerset) www.getsetsomerset.org.uk
getset-taunton@somerset.gov.uk
- YOT (Youth Offending Team) 01823 326731 / 01458 440820
www.somerset.gov.uk/organisation/.../somerset-youth-offending-team/
- TYS (Targeted Youth Support) 01823 326731

APPENDIX 4

Taunton schools - Statement of Intent / Entitlement for drugs and education and related issues supported by the Somerset Children and Young People Directorate.

Statement of Intent

Taunton Secondary Schools are committed to helping all young people to develop and maintain healthy lifestyles. As part of that commitment, we will strive to ensure that all young people learn about and choose to avoid substances that are harmful.

We will achieve this by :

- Developing the knowledge and expertise of our own staff.
- Working in partnership with relevant agencies.
- Involving parents, carers and young people in policy and practice.
- Having the appropriate balance of support and sanction.
- Making policy and practice consistent across the schools in Taunton.
- Making policy and practice explicit and clear to all young people in Taunton and to their parents and carers.

Statement of Entitlement

These statements outline the entitlement of students, staff, parents and carers, and of governors. These statements will :

- Provide clear guidance and a framework within which staff can teach and schools can manage drug education and related issues with confidence.
- Clarify legal responses, entitlement and obligations.
- Ensure that schools operate within the DfES Guidance 2004 and in line with Ofsted expectations.

Students have an entitlement to :

1. Be clear that possession or use of legal or illegal drugs on the school premises is totally unacceptable and will be dealt with consistently and promptly in line with the published school's code of conduct.
2. Be in an environment where they feel safe, protected, informed and able to learn.
3. Have any particular medical needs catered for as outlined in the school medicines or drugs policy.
4. A drugs education programme that is well planned, suitably resourced and enables them to develop their knowledge, skills, attitudes and understanding and appreciate the benefits of a healthy lifestyle. This drugs education should cover all drugs and be appropriate for age, ability and context of the student. The programme should take account of a student's views.
5. Up to date, accurate information and advice.
6. Easy access to confidential support and advice and - where applicable - access to specialist

services.

The Staff of the school have an entitlement to :

1. Be clear about the definition of a drug incident, the methods of response and record keeping.
2. Up to date, accurate information.
3. High quality training.
4. Access to a designated senior member of staff with overall responsibility for drugs issues and who is also responsible for the monitoring and evaluation of the quality of teaching.
5. An opportunity to share their views, values and make a contribution to the school policy and its overall ethos.
6. Knowledge of the range of responses that is available to support and manage drug incidents and concerns for individual students.

Some staff should also have the opportunity to obtain training for SUST and take part in the PSHE accreditation with a focus on drugs education.

Parents and carers have an entitlement to :

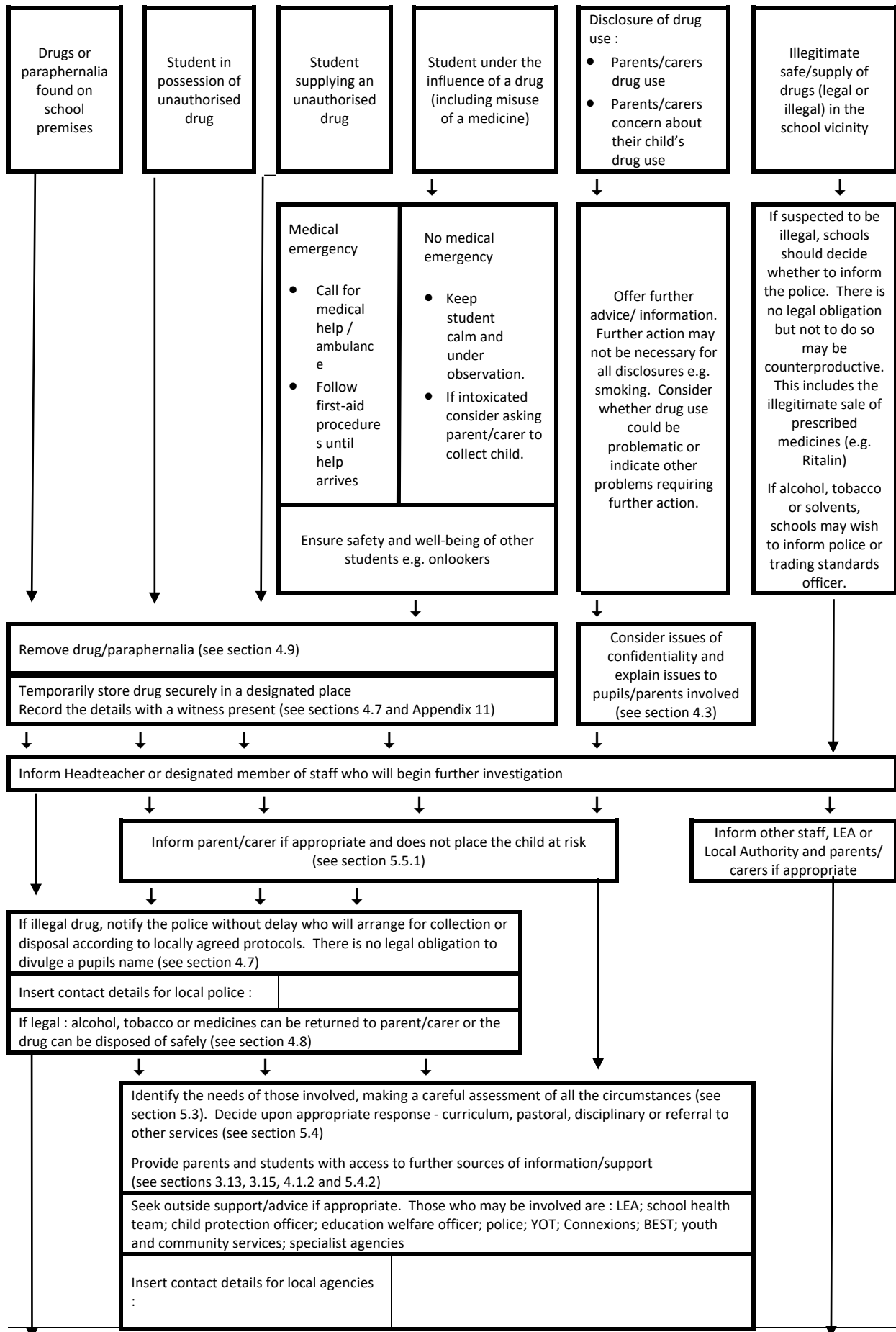
1. Be made aware of the school's approach and rationale for drugs education. This should include information about the school rules and sanctions.
2. Be involved in the formulation and review of the school drugs policy and drugs education programme.
3. Parents' awareness sessions offered by the School Drugs Adviser. At these sessions there should be signposting to access information about drugs and local and national sources of help.
4. Be invited to the school following a drug related incident involving their child, unless it is felt that this would jeopardise the child's safety.
5. Access to a named member of staff with whom they can discuss concerns about their child's lifestyle.

Governors have an entitlement to :

1. Be involved in policy-making, drug education planning and parents' awareness sessions.
2. Be involved in the monitoring of the effectiveness of the programme.
3. Be kept up to date with government guidance by the school and by the School Drugs Adviser.

Governors may choose to identify a named governor with specific responsibility for drugs issues, placed within a healthy school remit.

RESPONDING TO INCIDENTS INVOLVING DRUGS





Record all decisions and monitor the outcome for the student and school community (see section 5.7)
Review effectiveness of policy and practice

APPENDIX 5

APPENDIX 5 - Useful sources of information and guidance

Websites and local agencies to support students, teachers and staff including the Somerset Substance Use Schools Directory for your local area.

www.talktofrank.com

<http://www.drugscope.org.uk/>

<http://www.teachernet.gov.uk/pshe/listSection.cfm?sectionls=118>

www.mindbodysoul.gov.uk

www.alcoholconcern.org.uk

www.re-solv.org

sdap@somerset.gov.uk

www.somersetdap.org.uk

APPENDIX 6

CRAFFT

How safe are you?

- Have you ever ridden in a car driven by someone (including yourself) who was under the influence of alcohol or drugs? Yes No
- Do you ever use alcohol or drugs to relax, feel better about yourself or fit in? Yes No
- Do you ever use alcohol or drugs while you are by yourself, or alone? Yes No
- Do you ever forget things you did while using alcohol or drugs? Yes No
- Do your family or friends ever tell you that you should cut down on your drinking or drug use? Yes No
- Have you ever got into trouble while you were using alcohol or drugs? Yes No

CRAFFT

If you have established that the young person you are with is using alcohol or drugs you can explore some of the risks they may be doing further.

This tool will explore the risks a young person may be taking when using alcohol or drugs.

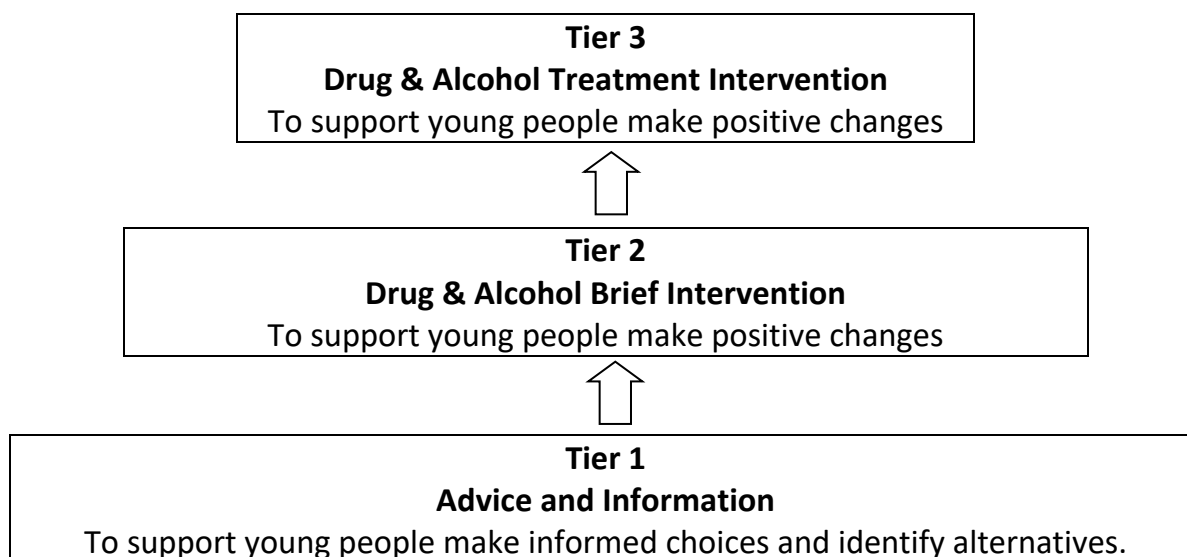
CRAFFT is the most well evaluated tool to establish drug and alcohol risks is recommended by NICE (National Institute of Clinical Excellence).

NEXT STEPS

If the young person answers yes to 2 or more statements suggest contacting a worker who can offer Tier 2 interventions for a more in-depth assessment and harm reduction work.

SOMERSET DRUG & ALCOHOL PARTNERSHIP (SDAP)

- Drug & Alcohol Services for Young People in Somerset.
- About services for young people.
- There are a range of services in Somerset for young people who may be using drugs or alcohol and need support and help to reduce the effects of that use.
- These services are divided into three main levels or 'tiers' of responses.



Responses at the Tier 1 are focused on providing information and advice and will signpost to other help if it is needed including help for young people whose lives are affected by parent or carers substance misuse.

When a young person is using drugs or alcohol fairly regularly and may be having some problems, **responses at Tier 2** aim to make sure a young person has accurate information about the risks involved and help them think about how it is affecting them and deliver brief interventions to identify and make changes in their use of find alternatives. Tier 2 services are delivered by Targeted Youth Support amongst others.

Responses at Tier 3 are when a young person is certainly using drugs or alcohol heavily and taking too many risks which are likely to be seriously affecting them. Specific interventions such as needle exchange and substitute prescribing are delivered in these circumstances to reduce harm and risks, and support a young person to make positive change. At this level **supporting young people is a joint effort between different services to get the best outcomes for the young person.**

For more information see www.somersetdap.org.uk

APPENDIX 7

The Curriculum - Statutory and PSHEe

AIMS

- 1) To enable students to acquire the knowledge, skills and attitudes which will assist them in making informed choices.
- 2) To provide a supportive environment where students are encouraged to understand their emotions (e.g. moods, anxiety, self-esteem, being unsure of self, sensitivities, the need for friendship and a sense of belonging) and have strategies to deal with problems/challenges as they arise, e.g. managing conflict, identifying and assessing risks, communicating with peers, parents and professionals, assertiveness, giving and securing help, making decisions.
- 3) To assist development of qualities of tolerance, sensitivity and responsibility to self and others.

ETHOS

In order to achieve a climate where these aims can be realised there are principles which need to be adhered to.

Partnership with students, parents and governors in implementing and monitoring the drugs policy.

Prior information to parents regarding drugs education.

Creating an acceptability of raising issues without fear of prejudice or judgement.

Encouraging openness, honesty and understand ground rules (including confidentiality and the integrity required of all students and adults in dealing with shared information).

WHY DRUGS EDUCATION IS NEEDED

Drugs education is needed, because drugs are part of the lives of all young people. As a school we ensure our staff are kept up to date with national policies and up to date with statistical information around drug use and young people. This is the responsibility of the PSHE Coordinator.

PRACTICE

The school has adopted a model for teaching drugs education at Key Stage 3 and Key Stage 4, which covers the key concepts and processes outlined in the PSHEe curriculum.

Coordination within the programme ensures that the needs of students are met and that there is progression and continuity. We are endeavouring to liaise with our feeder primary schools to ensure there is no overlap and continuity of content in Year 7.

Drugs education is located in **National Curriculum** Science (as a statutory provision at Key Stage 3 & 4. The new secondary curriculum, being phased in from September 2008, place personal development and the acquisition of personal, learning and thinking skills at the curriculum and reflect the Every Child Matters (ECM) outcomes stating that the curriculum should enable all young people to become :

- successful learners who enjoy learning, make progress and achieve.
- confident individuals who are able to live safe, healthy and fulfilling lives.
- responsible citizens who make a positive contribution to society.

The key concepts for PSHE education in personal well being are :

- personal identities
- healthy lifestyles
- risk
- relationships
- diversity.

The key processes for PSHE education in personal wellbeing are :

- critical reflection
- decision making and managing risk
- developing relationships and working with others.

Our drugs education programme of study reflects these key aims and principles.

Key Stage 3 teaches :

- That the abuse of alcohol, solvents and other drugs affects health.
- That the body's natural defences may be enhanced by immunisation and medicines.
- How smoking affects lung structure and gas exchange.
(See appendix)

Key Stage 4 teaches :

- How drugs are used in society both legally and illegally together with their associated pros and cons.
- About the effects of solvents, alcohol, tobacco and other drugs on bodily functions. (See appendix).
- Smoking, alcohol and cannabis and their associated health risks.
- How drugs are developed in a safe way.

Drugs education is also covered by opportunities within :

- **Drama**
Schemes of work in Key Stage 3 and Key Stage 4 where Drama is an option. Much learning is issues based. Through this students will be facilitated with drugs awareness, both factual and emotional, at a level appropriate to their maturity and skills.
- **Blue Routeway Performing Arts students**
T.I.E. to Primary School children across Somerset - annually - drugs education activities.
- **P.E.**
At Key Stage 4 (GCSE P.E. exam) students will also discuss 'drugs in sport' and study the effects of certain banned performance enhancing substances and reasons why athletes take them, along with the side effects. Examples of high profile sportsmen and women will be discussed along with its accompanying moral debate.

Drugs Education is mainly delivered within the tutorial [PSHE] programme. This allows:

- Enhances the emphasis upon personal, emotional and moral development as well as skills acquisition in risk appreciation, responsibility and knowledge.
- Ensures continuity within the programme and a level of co-ordination (see appendix).

The programme includes other activities :

- Collapsed curriculum events.
- Health Awareness Days (e.g. National No Smoking Day).
- The SPACE Company T.I.E. (Theatre-In-Education).
- Use of outside agencies e.g. Police / SAV-ED.

Key Stage 5 teaches :

- Issues - based Theatre-In-Education responding to Government and Community need.

SUPPORTIVE / PREVENTATIVE STRATEGIES

The school has excellent links with :

- Primary Schools : Key Stage 4 students provide Theatre-In-Education annually to 240 Year 5/6 students across Somerset schools.
- Increase Parent / Carer awareness (e.g. Newsletters, awareness raising weeks).
- Team 4 - Adolescent support workers.
- School Nurse Team.
- YOT (Youth Offending Team).
- SDAS (Somerset Drugs & Alcohol Services).
- SAV-ED - a local charity dealing with assessing risk (alcohol & drugs).
- Broadway Lodge in Weston-Super-Mare - a drug/addiction rehabilitation unit.

Searching, screening and confiscation

**Advice for headteachers, school staff
and governing bodies**

January 2018



Department
for Education

Summary

About this departmental advice

This advice is intended to explain schools' powers of screening and searching pupils so that school staff have the confidence to use them. In particular, it explains the use of the power to search pupils without consent. It also explains the powers schools have to seize and then confiscate items found during a search. It includes statutory guidance which schools must have regard to.

Expiry or review date

This advice will be kept under review and updated as necessary.

Who is this advice for?

This advice is for:

- School leaders and school staff in **all** schools in England.
- For the purposes of this advice references to “maintained school” means a community, foundation or voluntary school, community or foundation special school. It also means Pupil Referral Units and non-maintained special schools.
- For the purpose of this advice references to “Academy” means Academy schools (including mainstream free schools) and Alternative Provision (AP) Academies (including AP free schools).
- Where particular provisions do not apply to a particular type of school we make this clear.

Key points

Searching

- School staff can search a pupil for any item if the pupil agrees.
- 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. 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).
 - Headteachers and authorised staff can also search for any item banned by the school rules which has been identified in the rules as an item which may be searched for.

Confiscation

- School staff can seize any prohibited item found as a result of a search. They can also seize any item, they consider harmful or detrimental to school discipline.

Schools' obligations under the European Convention on Human Rights (ECHR)

- Under article 8 of the European Convention on Human Rights pupils have a right to respect for their private life. In the context of these particular powers, this means that pupils have the right to expect a reasonable level of personal privacy.
- The right under Article 8 is not absolute, it can be interfered with but any interference with this right by a school (or any public body) must be justified and proportionate.
- The powers to search in the Education Act 1996 are compatible with Article 8. A school exercising those powers lawfully should have no difficulty in demonstrating that it has also acted in accordance with Article 8. This advice will assist schools in deciding how to exercise the searching powers in a lawful way.

Screening

What the law allows:

- Schools can require pupils to undergo screening by a walk-through or hand-held metal detector (arch or wand) even if they do not suspect them of having a weapon and without the consent of the pupils.
- Schools' statutory power to make rules on pupil behaviour² and their duty as an employer to manage the safety of staff, pupils and visitors³ enables them to impose a requirement that pupils undergo screening.
- Any member of school staff can screen pupils.

² Section 89 of the Education and Inspections Act 2006 for all maintained schools, PRUs and NMSS and the Education (Independent School Standards) (England) Regulations 2010 for academy schools and alternative provision academies

³ Section 3 of the Health and Safety at Work etc. Act 1974

Also note:

- If a pupil refuses to be screened, the school may refuse to have the pupil on the premises. Health and safety legislation requires a school to be managed in a way which does not expose pupils or staff to risks to their health and safety and this would include making reasonable rules as a condition of admittance.
- If a pupil fails to comply, and the school does not let the pupil in, the school has not excluded the pupil and the pupil's absence should be treated as unauthorised. The pupil should comply with the rules and attend.
- This type of screening, without physical contact, is not subject to the same conditions as apply to the powers to search without consent.

Searching with consent

Schools' common law powers to search:

- School staff can search pupils with their consent for any item.

Also note:

- Schools are not required to have formal written consent from the pupil for this sort of search – it is enough for the teacher to ask the pupil to turn out his or her pockets or if the teacher can look in the pupil's bag or locker and for the pupil to agree.
- Schools should make clear in their school behaviour policy and in communications to parents and pupils what items are banned.
- If a member of staff suspects a pupil has a banned item in his/her possession, they can instruct the pupil to turn out his or her pockets or bag and if the pupil refuses, the teacher can apply an appropriate punishment as set out in the school's behaviour policy.
- A pupil refusing to co-operate with such a search raises the same kind of issues as where a pupil refuses to stay in a detention or refuses to stop any other unacceptable behaviour when instructed by a member of staff – in such circumstances, schools can apply an appropriate disciplinary penalty.

Searching without consent

What the law says:

What can be searched for?

- Knives or weapons, alcohol, illegal drugs and stolen items; and
- Tobacco and cigarette papers, fireworks and pornographic images; and
- 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, or damage to property; and
- Any item banned by the school rules which has been identified in the rules as an item which may be searched for.

1. Can I search?

- Yes, if you are a headteacher or a member of school staff and authorised by the headteacher.

2. Under what circumstances?

- You must be the same sex as the pupil being searched; and there must be a witness (also a staff member) and, if possible, they should be the same sex as the pupil being searched.
- There is a limited exception to this rule. You can carry out a search of a pupil of the opposite sex to you and / or without a witness present, but only where you reasonably believe that there is a risk that serious harm will be caused to a person if you do not conduct the search immediately and where it is not reasonably practicable to summon another member of staff.

3. When can I search?

- If you have reasonable grounds for suspecting that a pupil is in possession of a prohibited item.

Also note:

- The law also says what must be done with prohibited items which are seized following a search.
- The requirement that the searcher is the same sex as the pupil and that a witness is present will continue to apply in nearly all searches. Where it is practicable to summon a staff member of the same sex as the pupil and a witness then the teachers wishing to conduct a search must do so.

4. Authorising members of staff

- Headteachers should decide who to authorise to use these powers. There is no requirement to provide authorisation in writing.
- Staff, other than security staff, can refuse to undertake a search. The law states that headteachers may not require anyone other than a member of the school security staff to undertake a search.
- Staff can be authorised to search for some items but not others; for example, a member of staff could be authorised to search for stolen property, but not for weapons or knives.
- A headteacher can require a member of the school's security staff to undertake a search.
- If a security guard, who is not a member of the school staff, searches a pupil, the person witnessing the search should ideally be a permanent member of the school staff, as they are more likely to know the pupil.

5. Training for school staff

- When designating a member of staff to undertake searches under these powers, the headteacher should consider whether the member of staff requires any additional training to enable them to carry out their responsibilities.

6. Establishing grounds for a search

- Teachers can only undertake a search without consent if they have reasonable grounds for suspecting that a pupil may have in his or her possession a prohibited item. The teacher must decide in each particular case what constitutes reasonable grounds for suspicion. For example, they may have heard other pupils talking about the item or they might notice a pupil behaving in a way that causes them to suspect that the pupil is concealing a prohibited item.
- In the exceptional circumstances when it is necessary to conduct a search of a pupil of the opposite sex or in the absence of a witness, the member of staff conducting the search should bear in mind that a pupil's expectation of privacy increases, as they get older.
- The powers allow school staff to search regardless of whether the pupil is found after the search to have that item. This includes circumstances where staff suspect a pupil of having items such as illegal drugs or stolen property which are later found not to be illegal or stolen.
- School staff may wish to consider utilising CCTV footage in order to make a decision as to whether to conduct a search for an item.

7. Searches for items banned by the school rules

- An item banned by the school rules may only be searched for under these powers if it has been identified in the school rules as an item that can be searched for.
- The school rules must be determined and publicised by the headteacher in accordance with section 89 of the Education and Inspections Act 2006 in maintained schools. In the case of academy schools and alternative provision academies, the school rules must be determined in accordance with the School Behaviour (Determination and Publicising of Measures in Academies) Regulations 2012. Separate advice on school rules is available in 'Behaviour and Discipline – advice for headteachers and school staff' via the link under Associated Resources.
- Under section 89 and the School Behaviour (Determination and Publicising of Measures in Academies) Regulations 2012 the headteacher must publicise the school behaviour policy, in writing, to staff, parents and pupils at least once a year.

8. Location of a search

- Searches without consent can only be carried out on the school premises or, if elsewhere, where the member of staff has lawful control or charge of the pupil, for example on school trips in England or in training settings.
- The powers only apply in England.

During the search

9. Extent of the search – clothes, possessions, desks and lockers

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.

10. 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 above.

11. Use of force

- Members of staff can use such force as is reasonable given the circumstances when conducting a search for knives or weapons, alcohol, illegal drugs, stolen items, tobacco and cigarette papers, fireworks, pornographic images or articles that have been or could be used to commit an offence or cause harm. Such force cannot be used to search for items banned under the school rules.
- Separate advice is available on teachers’ power to use force – see Associated Resources section below for a link to this document

After the search

12. The power to seize and confiscate items – general

What the law allows:

- Schools' general power to discipline, as circumscribed by 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.

Also note:

- The member of staff can 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 reasonably suspected to be an offensive 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.

13. Items found as a result of a 'without consent' search

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 they have reasonable grounds to suspect that 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.

- Where an article that has been (or is likely to 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.

14. Statutory guidance on the disposal of controlled drugs and stolen items

- It is up to the teachers and staff authorised by them 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 State:
- 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/fireworks).

15. Statutory guidance for dealing with electronic devices

- Where the person conducting the search finds an electronic device that is prohibited by the school rules or that they reasonably suspects has been, or is likely to be, used to commit an offence or cause personal injury or damage to property, they may examine any data or files on the device where there is a good reason to do so. They may also delete data or files if they think there is a good reason to do so, unless they are going to give the device to the police. This power applies to all schools and there is no need to have parental consent to search through a young person’s mobile phone if it has been seized in a lawful ‘without consent’ search and is prohibited by the school rules or is reasonably suspected of being, or being likely to be, used to commit an offence or cause personal injury or damage to property.
- The member of staff must have regard to the following guidance issued by the Secretary of State when determining what is a “good reason” for examining or erasing the contents of an electronic device.
- In determining a ‘good reason’ to examine or erase the data or files the staff member should reasonably suspect that the data or file on the device in question has been, or could be, used to cause harm, to disrupt teaching or break the school rules.
- If an electronic device that is prohibited by the school rules has been seized and the member of staff has reasonable grounds to suspect that it contains evidence in relation to an offence, they must give the device to the police as soon as it is reasonably practicable. Material on the device that is suspected to be evidence relevant to an offence, or that is a pornographic image of a child or an extreme pornographic image, should not be deleted prior to giving the device to the police.

- If a staff member does not find any material that they suspect is evidence in relation to an offence, and decides not to give the device to the police, they can decide whether it is appropriate to delete any files or data from the device or to retain the device as evidence of a breach of school discipline.
- All school staff should be aware that behaviours linked to sexting put a child in danger. Governing bodies should ensure sexting and the school's approach to it is reflected in the child protection policy. The UK Council for Child Internet Safety

4 Section 62 of the Coroners and Justice Act 2009 defines prohibited images of children. Section 63 of the Criminal Justice and Immigrations Act 2008 defines extreme pornographic images.

(UKCCIS) Education Group has recently published the advice - sexting in schools and colleges - responding to incidents and safeguarding young people

Also note:

- Teachers should also take account of any additional guidance and procedures on the retention and disposal of items that have been put in place by the school.

16. Telling parents and dealing with complaints

- Schools are not required to inform parents before a search takes place or to seek their consent to search their child.
- There is no legal requirement to make or keep a record of a search.
- Schools should 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.
- Complaints about screening or searching should be dealt with through the normal school complaints procedure.

Further sources of information

Associated resources (external links)

- Use of Reasonable Force - advice for headteachers, staff and governing bodies Behaviour and Discipline in Schools
- Behaviour and Discipline in Schools - advice for head teachers and school staff
- Information Commissioner for advice on the Data Protection Act
- Keeping children safe in education statutory guidance for schools and colleges
- UK Council for Child Internet Safety- UKCCIS Sexting in schools and colleges - responding to incidents and safeguarding young people

Legislative links

- The Education Act 1996
- Education and Inspections Act 2006
- Education (Independent School Standards) (England) Regulations 2010
- The Schools (Specification and Disposal of Articles) Regulations 2012
- School Behaviour (Determination and Publicising of Measures in Academies) Regulations 2012
- Health and Safety at Work etc Act 1974

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APPENDIX 9



Heathfield Community School

RECORD OF SEARCH

Name of student :		Tutor Group:		Date :	
Why was the student searched? (please tick)					
Suspicion of smoking paraphernalia.					<input type="checkbox"/>
Suspicion of alcohol.					<input type="checkbox"/>
Suspicion of solvent or drugs paraphernalia.					<input type="checkbox"/>
Suspicion of being under the influence of one of the above.					<input type="checkbox"/>
Suspicion of carrying an offensive weapon.					<input type="checkbox"/>
Suspicion of self-harm.					<input type="checkbox"/>
Suspicion of inappropriate images / cyber-bullying.					<input type="checkbox"/>
What was found?					
Staff action (e.g. phone call, referral, etc.....)					
Searched by :					
Signatures:					
	Student	Staff 1	Staff 2		
Informed :	Head of Year <input type="checkbox"/>	Safeguarding Lead <input type="checkbox"/>	Parent <input type="checkbox"/>		

SEARCHING

- School staff can search a student for any item if the student agrees. The ability to give consent may be influenced by the child's age or other factors.
- Headteachers and staff authorised by them have a statutory power to search students or their possessions, without consent, where they have reasonable grounds for suspecting that the student may have prohibited item. 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 reasonable 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 student).
- Headteachers and authorised staff can also search for any item banned by the school rules which has been identified in the rules as an item which may be searched for.
- The member of staff should be of the same sex as the person being searched.
- A second member of staff should be present, to witness the search (*Year Head or Senior Management person, if possible they should also be the same sex as the person being searched*).
- The search should be carried out in private and with respect for the person's human rights (i.e. the right to expect a reasonable level of privacy).
- Only outer garments should be searched (including hats, shoes, boots, gloves and scarves).
- The students' possessions may be searched. 'Possessions' means any goods over which the student has or appears to have control - this includes desks, lockers and bags.
- Anything found must be recorded. Signature of the young person should be obtained if possible.
- Care should be taken when searching - ask the person to empty their own pockets and bags slowly.
- Teachers can only undertake a search without consent if they have reasonable grounds for suspecting that a student may have in his or her possessions a prohibited item. The teacher must decide in each particular case what constitutes reasonable grounds for suspicion. For example, they may have heard other students talking about the item or they might notice a student behaving in a way that causes them to be suspicious.

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 power (e.g. a police officer) can do.

CONFISCATION

- School staff can seize and 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.