

Substance Misuse Policy

Produced by: Learner Services Officer

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Academic Board 6/5/03	Minute 226
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Curriculum and Quality Committee 19/5/03	Minute 68

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Review date: May 2011

Preamble to the Policy

Equal Opportunities

The College shall comply with the Sex Discrimination Act 1975, the Race Relations (Amendment) Act 2000, the Disability Discrimination Act 1995 (as amended by the Special Educational Needs and Disability Act 2001 and Disability Discrimination Act 2005), the Rehabilitation of Offenders Act 1974, the Human Rights Act 1998 (or any enactment modifying or replacing them) and all relevant statutory duties in respect of equal opportunities.

Special Educational Needs and Disability Statement

The College shall have particular regard to the provisions of the Disability Discrimination Act 1995 (as amended by the Special Educational Needs and Disability Act 2001 and Disability Discrimination Act 2005) in respect of this policy.

The Act applies to people who are disabled according to the definition of disability in the DDA 1995. That is, a disabled person is someone who has a physical or mental impairment that has an effect on his or her ability to carry out normal day to day activities.

That effect must be:

1. Substantial (that is, more than minor or trivial), and
2. Adverse, and
3. Long-term (that is, has lasted or is likely to last for at least 12 months or for the rest of the life of the person affected).

The College is committed to take all reasonable steps to implement or adjust the policy taking in the circumstances of each individual. Reasonable steps may include, for example, alternative format documents, special arrangements for meetings.

(Please note the examples are not exhaustive).

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SUBSTANCE MISUSE/ABUSE

Introduction

- 1 Policy Statement (in relation to substance misuse)
- 2 Explanatory Note (in relation to the policy)
- 3 Scope of the Policy and Provision for Review
- 4 Code of Practice (Promotion of Awareness)

Implementation

Disciplinary Procedure

- 5 Proposed Courses of Action (Flow chart)
- 6 Handling of Substances
- 7 Monitoring and Record Keeping

STATEMENT OF POLICY ON SUBSTANCE MISUSE

1. Introduction

- 1.1 The main aim of the policy is to clearly state how the College will approach the issues surrounding substance misuse by staff and students at the College.
- 1.2 The College in doing this aims to help those who are seeking help to overcome problems of misuse and dependency, work within the responsibilities laid down in law, work with and through the various authorities and agencies concerned with such misuse and work to promote a healthy and safe environment for the whole college community.
- 1.3 The policy will work on the basis that misuse is destructive to the individual concerned and possibly a danger to others they are in contact with. The College will strive to support those seeking to correct their behaviour alongside a duty to protect others from any negative results of misuse.
- 1.4 Whilst this policy focuses on a supportive approach to persons suffering from dependency it cannot be used to negate an individual's responsibility for their actions which may arise in a disciplinary setting.
- 1.5 Many issues surrounding misuse are within the laws of the land however some issues which are in breach of the law will need to be dealt with by the appropriate authorities. College staff must uphold the law.
- 1.6 This policy will be made known to staff and students during their induction. Excerpts from this document will be published in suitable documents.

2. Policy Statement in relation to Substance Misuse

- 2.1 The College would want to help its students and employees whose performance is impaired by regular alcohol, drug or other substance abuse/misuse.

Substance misuse refers to the use of illegal drugs, and the abuse of prescribed drugs and substances such as solvents. These harm or have the potential to harm the individual (both physically and mentally) and through the individual's actions, other people and the environment.

- 2.2 The College is predisposed to regard such persons as suffering from an illness, and will offer practical assistance to students or employees showing signs of dependence, by providing access to specialist advice, workers or counsellors and where appropriate, time off to attend specialist clinics etc.
- 2.3 The College reserves the right to use the Disciplinary Procedure and or the Procedure for inadequate performance and medical problems to deal with students or employees whose condition is seriously impaired through inappropriate consumption of alcoholic drink or drugs.

2.4 The College will seek to make students and employees aware of the effects and implications of the consumption of alcohol and drugs, in moderation and excess, through regular promotion, publicity and seminars directly through the curriculum (EGS programme).

3. Policy in relation to Alcohol and Drug Abuse/Misuse - Explanatory Note

3.1 The Policy statement and the detailed Code of Practice which accompanies it, sets out the College's approach to dealing with cases of substance misuse amongst its students and staff.

3.2 The Policy is intended to be supportive of individuals with alcohol/drug related problems and sets out to re-establish appropriate conduct, wherever possible without having to resort to the Disciplinary Procedure.

3.3 The Policy has been drafted against the background that the consumption of alcohol is an accepted part of social life and is normally a personal matter. It also acknowledges however that the problem of alcohol abuse is widespread in society and it is inevitable that on occasion the need will arise to address the situation within the institution where individuals indulge in inappropriate consumption that affects performance.

3.4 The policy is intended to deal with alcohol, drug and substance misuse related problems sympathetically, fairly, and consistently, working towards the objective of restoring the individual to the highest level of performance and full efficiency to the mutual benefit of all concerned.

3.5 The Policy also acknowledges that there may be some misunderstanding about the nature of the effects of alcohol and what constitutes sensible drinking and therefore advocates a programme of education to help students and staff understand alcohol abuse/misuse, its symptoms and side effects.

3.6 In drawing up its Policy the College has had regard to the following principles:

3.6.1 An alcohol and drug problem may be an illness to be treated in the same way as any other illness.

3.6.2 If an alcohol or drug user does not receive help/advice and support there are potential dangers to the health and safety of the individual, their colleagues and to the College Community as a whole.

3.6.3 Early identification and supportive treatment, of an alcohol/drug problem is recognised as of prime importance.

3.6.4 Access will be provided to the support services available within the College and with external specialist workers.

3.6.5 Where alcohol or drug abuse is a contributory factor in cases of misconduct this will be taken into account when determining the disciplinary action. A condition may be imposed that an individual follows a suitable course of treatment. In relation to

employment, repeated acts of misconduct or a single act of gross misconduct may lead to dismissal.

- 3.6.6 In appropriate cases sufficient sick leave may be granted to enable the individual to follow an agreed recognised course of treatment.
- 3.6.7 Where it is necessary to remove an individual suffering from alcohol or drug related problems from his/her programme of study or work while treatment is undertaken, the person may be allowed to return to his/her work or study programme following successful rehabilitation, confirmed by a qualified specialist in the field of drug/alcohol rehabilitation.
- 3.6.8 Discretion will be exercised concerning whether students will be allowed repeat courses of treatment following a relapse.
- 3.6.9 It has to be acknowledged that, where all efforts to rehabilitate the individual have failed, he/she may have to be expelled or dismissed.

4. Scope of the Policy and Provision for Review

- 4.1 The Policy applies to all student and staff of the College and will be monitored and reviewed regularly by the Learner Services Officer to evaluate its effectiveness.

5. Code of Practice

5.1 Promotion of Awareness

- 5.1.1 The philosophy of this policy is that alcohol, drug and substance abuse education should be part of a wider ongoing programme of Health and Safety promotion for the whole College. It is not only aimed at those who are identified as having problems with drugs or alcohol. We hope to raise awareness and interest in health to the extent that alcohol, drug and substance abuse problems may be prevented from occurring, or may be prevented from developing into a serious dependency problem. Messages about healthy lifestyle will continually be repeated for the benefit of all students and employee.

- 5.1.2 In practical terms this means a commitment to the continual promotion of healthy living, messages about diets, exercise, drug, alcohol and smoking etc. This will be achieved by means of seminar events, displays, leaflets and posters which will include factual information on the effects of drugs and alcohol use and abuse.

It is proposed that the Corporate Health and Safety Advisor, Human Resources Manager and Learner Support Services will ensure that health promotion is given a high profile and stimulate discussion at all levels within the College.

- 5.1.3 The main responsibility for promotion of health information within a particular Curriculum Area is with the Curriculum Area manager who should ensure that in addition to general health information, appropriate messages regarding alcohol, drug, and substance abuse are targeted at all students groups.

5.1.4 The College will encourage and support Student Parliament representatives to stimulate interest in personal health matters among the students community and encourage representatives to promote health messages within the College.

5.1.5 The Health Promotion and Health Education Centre (Area Health Authority) will be sought to advise and wherever possible assist in local health promotion events. They will also be sought to keep the College informed of any new developments in related health promotion to supply information, literature and display materials.

5.2 *Implementation*

5.2.1 All Senior Staff are responsible for the implementation of this policy.

5.2.2 All line managers are responsible for taking action if an employee or student is identified as having a work or study problem which may be associated with substance misuse or if an employee identifies himself/herself as having a substance misuse problem.

5.3 *General Principles and Guidelines*

5.3.1 This policy is equally applicable to all staff and students irrespective of mode of employment or attendance, (full-time or part-time).

5.3.2 On learning programmes that involve the use of skill or judgement, or contact with the public, advice relating to alcohol consumption will be provided and regularly reinforced with advertising posters and specific leaflets/booklets.

5.3.3 At all social functions on sites owned by the College, a range of non-alcoholic drinks should be made available.

5.3.4 All sites should display literature discouraging excessive consumption and illustrating the potential dangers of alcohol drinking, especially in relating to the responsibility of the individual under the Health and Safety at Work Act.

5.4 *Alcohol and Drug Abuse Procedure*

5.4.1 Research suggests that a workplace is a particularly appropriate place to create an environment in which potential alcohol and drug abusers can be encouraged to make and sustain decisions about their behaviour.

5.4.2 All tutors should be alert to, and made fully aware of, the possibility of substance abuse when personal problems arise within their tutor groups.

5.4.3 It is important that all students seek help relating to potential substance abuse problems or misuse. They will be encouraged to seek help and support themselves from voluntary and statutory organisation.

- 5.4.4 Student Welfare Staff will facilitate by making referrals to external voluntary and statutory specialist organisations. Any individual requesting such information, help or support can retain their anonymity if they so wish.
- 5.4.5 Students who come to notice through observation or by normal disciplinary procedures, as possibly having problems of substance abuse, will be immediately offered help. All those dealt with under this procedure will be guaranteed confidentially in line with the code of ethics for counseling adopted in the College.
- 5.4.6 Equally, where an employee or student believes a colleague or fellow student is misusing substances she/he should encourage them to seek help from those people mentioned. (Under the Health and Safety at Work Act employees have a duty to take reasonable care of the health and safety of themselves and others who may be affected by their acts or omissions).
- 5.4.7 In all non-voluntary referrals the Curriculum Area involved will, however, need to be advised of the student attendance and the effectiveness or otherwise of any help offered, in order that appropriate support can be given.
- 5.4.8 On resumption of studies or work, the person may return to the same study programme or work unless resumption of the same would be inconsistent with the long-term resolution of the individual alcohol or drug problem. When the same study programme or work cannot be resumed, every consideration will be given to finding a suitable alternative.
- 5.4.9 Having accepted help to resolve the alcohol/drug related problem, the individual's normal progression prospects should not be impaired.
- 5.5 *Process*
- 5.5.1 Persons with potential problems of substance misuse would normally be identified by their tutors or line manager. Tutors or line manager will be made aware of the possible symptoms in the workplace of the alcohol or drug abuse/misuse.
- 5.5.2 Should a tutor, Curriculum Area Manager or line supervisor have reason to believe that a student or member of staff is abusing or misusing drug or alcohol, the person should be given the opportunity of a meeting/interview with a trained counsellor or senior manager. At this stage the individual would be confronted with the observed facts and the possible disciplinary action. S/he will be offered the opportunity to be referred for specialist help to avoid the consequences of expulsion or dismissal.
- 5.5.3 Any referral made by a tutor would normally be to the Student Welfare Team in the first instance;
- 5.5.4 In all cases fitness to attend College or otherwise during or after any period of substance abuse will be decided by the relevant Assistant Principal or a Senior Manager taking into account the medical opinion available and all relevant information from specialist referral agencies and student counsellors.

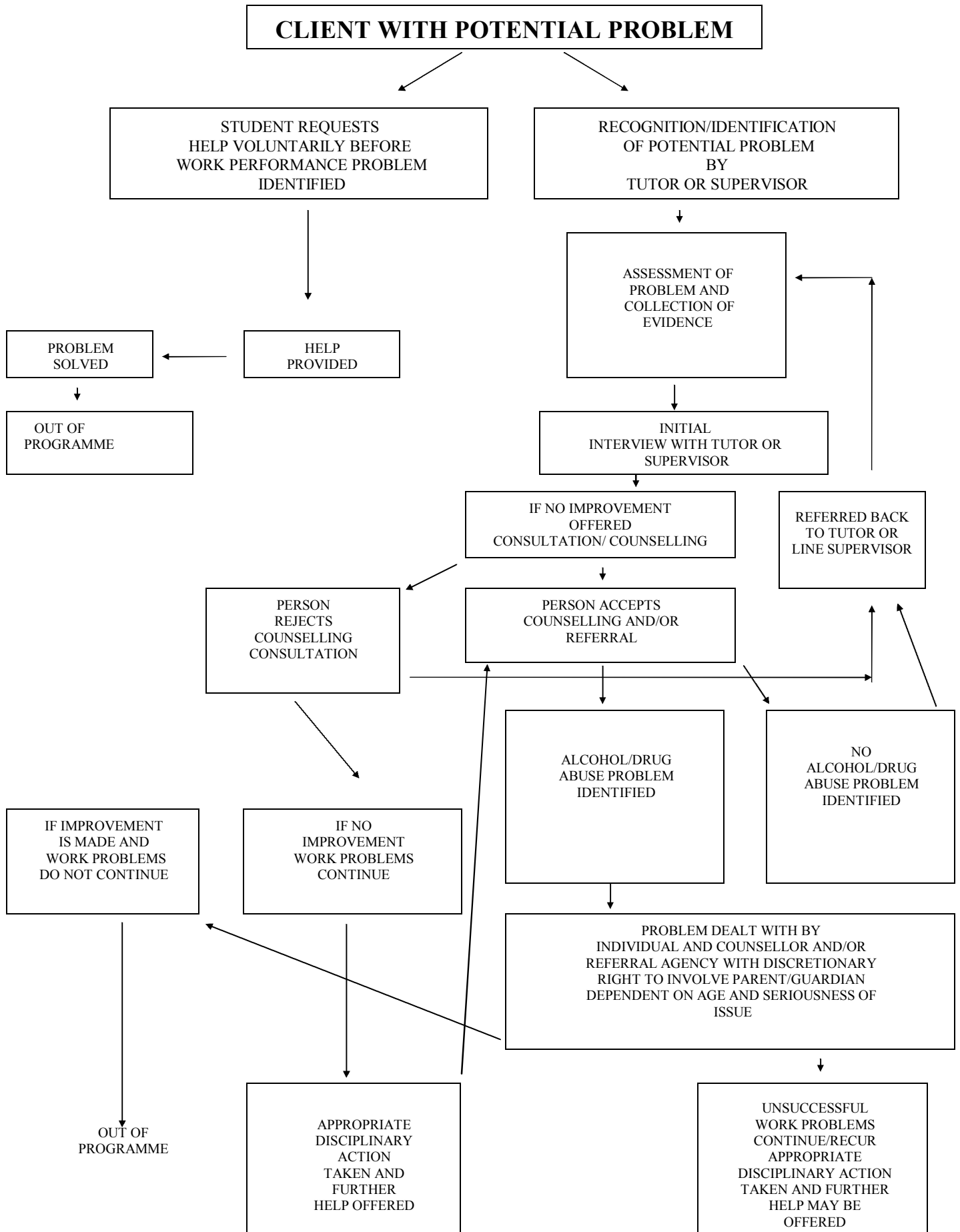
In addition, the counsellor may make referral to the individual's GP and other local organisations working in the fields of substance misuse.

NB All of the above facilities are available to any individuals requesting help on a voluntary basis, i.e. before it is brought to his/her attention by the tutor or line supervisor, etc.

5.6 *The Disciplinary Procedure for inadequate performance and medical problems.*

- 5.6.1 If the Disciplinary Procedure highlights a member of staff or a student as possibly having problems of alcohol, drug or substance misuse, this person will be offered the opportunity of specialist help under the substance misuse procedure. However, while problems of substance misuse will normally be treated as problems of illness, in certain circumstances the use of the disciplinary procedure may be more appropriate.
- 5.6.2 If treatment seems effective but a lapse occurs, each case will be considered on its merits. If appropriate, further help may be offered but the individual could also be subject to the College's Disciplinary Procedures, or the procedure for dealing with inadequate performance and medical problems.
- 5.6.3 Any drunkenness on college premises or any activity associated with the College, or the use, possession or supply of an illegal drug will be regarded as a disciplinary offence.
- 5.6.4 Individuals who may have an alcohol or drugs problem cannot be excused from complying with the accepted standards of conduct and safety at the workplace. Any individual who behaves contrary to these standards will invoke the College Disciplinary Procedure.
- 5.6.5 The use of the Disciplinary Procedure is seen as appropriate in all cases of excessive alcohol consumption, drug or substance abuse/misuse leading to behaviour contrary to accepted standards of conduct and safety. Due consideration will be given to all relevant factors and circumstances, including any underlying problems of Alcohol, Drug or Substance Abuse/misuse.
- 5.6.6 Students and employees will be expected to co-operate in any programme of treatment or counselling. Any person who withdraws from any programme or refuse offers of help may be subject to action under the disciplinary Procedure or the Procedures for dealing with Inadequate Performance on medical problems, especially where this leads to poor performance or when the reputation of the College may be undermined.
- 5.6.7 Employment or studies may be terminated in cases of Alcohol or Drug Abuse/ misuse, where the subsequent action taken leads to the loss of qualifications or progress required to undertake the programme of studies or work, eg professional registration, and driving licence, unless a suitable alternative work or study programme can be found.

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6. Handling of Substances

- 6.1 Extreme care should be taken when handling any substance suspected of being a drug or any items involved in the process drug consumption. If possible disposable gloves should be worn. If these are not available, care should be taken to wash hands immediately after handling.
- 6.2 If any items are remaining and a person is being taken for emergency medical treatment the items should be passed to the medical staff to aid their diagnosis and treatment.
- 6.3 If substances are illegal a decision should be made on how to proceed. If it is likely that there may be police involvement every effort should be made to minimise the handling of items. If the Police are not going to be involved the substances must still be correctly disposed of (see note on disposal of illegal substances).
- 6.4 Any sharp objects (e.g. syringes) which are found or confiscated should be handled with extreme care and disposed of in a sharps disposal box where one is available (try Hair and Beauty salons or Vocational Access). Where a sharps box is unavailable a pharmacy will probably be the next option.
- 6.5 Disposal of illegal substances
The college maintains a record of illegal substances ('Substances Record Sheet') found and how they were disposed of. This record is held by the Learner Services Officer. **All such finds and disposals must be recorded.** Disposal must be witnessed by two staff.
- 6.6 Any police station will accept illegal drugs for disposal without necessarily involving legal proceedings. A receipt should be obtained from the Police station to certify this has happened. The specialist agencies also offer this service.

7. Monitoring and Record Keeping

- 7.1 Reporting will always be at a high level to protect anonymity. The College will co-operate with RCT County Council in monitoring and reporting the issue for the area.
- 7.2 Drug and alcohol incident forms will be completed for each incident and forwarded to the Learner Services Officer who will use these to assess the College's need to respond.
- 7.3 The policies and procedures will be monitored periodically with a formal review taking place every four years.