



# Cobham Hall

## Smoking, Alcohol, Drugs and Other Substance Abuse Policy

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## 1. Statement

The Mill Hill School Foundation (the "Foundation") recognises its duty of care to its pupils to promote health education, social awareness, concern for others and good standards of behaviour.

In accordance with the Foundation Safeguarding and Protecting the Welfare of Pupils Policy, the Foundation undertakes to promote a safe and secure environment by taking all reasonable measures to safeguard and promote the welfare of each pupil in its care. All staff and volunteers are expected to share this commitment.

The Foundation recognises the risks to health from smoking, passive smoking, alcohol consumption and the misuse of drugs and other substances and recognises its legal duty under the Health Act 2006. It also recognises its duty of care to its pupils from the risks to health and social issues that may arise from abuse and misuse by pupils of alcohol, drugs and other substances.

This policy applies to all pupils at the Mill Hill School Foundation when the welfare of other pupils or staff is affected and/or where the reputation of the Foundation is put at risk, whether or not the pupil is in the care of the Foundation or off Foundation premises at the time.

## POLICY ON SMOKING AND VAPING

### 2. Definition

Smoking refers to the possession, use and sale of tobacco and nicotine in all its forms, such as cigarettes, e-cigarettes, vapes and other similar substitutes, and related paraphernalia, such as pipes, lighters etc.

### 3. Aims

**3.1** To promote a healthy and clean environment and concern for others

**3.2** To operate a **No Smoking Policy** across the Foundation site

### 4. No Smoking Signs

To inform pupils, staff and visitors, **No Smoking** signs are displayed throughout the Foundation site in accordance with the requirements of the Health Act 2006.

### 5. Pupil

**5.1** No pupil may smoke or vape on the Foundation site, bring cigarettes, e-cigarettes or vapes, onto the Foundation site, smoke/vape during his/her journey to and from School, smoke/vape on a School trip nor supply cigarettes, e-cigarettes or vapes, to other pupils or Foundation employees or visitors. If a pupil fails to comply with this No Smoking Policy he/she must expect to receive an appropriate sanction in accordance with their School's Expectations and Standards, Behaviour or other relevant Policy.

**5.2** Pupils should not smoke/vape anywhere whilst wearing School uniform.

**5.3** A pupil who is not smoking/does not smoke but is present with another pupil who is smoking/vaping,

may also receive an appropriate sanction.

- 5.4** Any accusation of smoking/vaping will be investigated and any sanction imposed will be determined on an individual basis. The sanction will take account of the nature and seriousness of the particular situation; whether or not it is a first offence and whether or not it accords with the individual school's behaviour policy.

## **POLICY ON DRUGS AND OTHER SUBSTANCES**

### **6. Definition**

- 6.1 Drugs & Other Substances** refer to the possession, use, supply of controlled drugs (including illegal possession, use and supply of prescription drugs only) and the paraphernalia of drugs or substances intended to resemble drugs, or "legal" drugs/ highs which can be obtained from a chemist shop or online, performance enhancing drugs, anabolic steroids, glue and psychoactive substances and other substances held or supplied for purposes of misuse. This definition also includes those who are "concerned with the supply" of drugs and other substances.
- 6.2 Supportive regime** refers to a package of support which may be offered to a pupil who has either made a voluntary disclosure of drugs use or who, after an investigation, has been found to have been in possession of/used drugs. The type of support offered includes regular monitoring and support by key pastoral staff, a regime of random regular testing and an additional education package. The pupil's parents/families will also be offered appropriate support to run alongside. See Paragraph 21 for further information.

### **7. Aims**

- 7.1 Prevention:** The central aim of this policy is to keep drugs and substances out of the Mill Hill School Foundation. We aim to do so by means of education, pastoral care, detection of users and an appropriate sanctions policy.
- 7.2 Education:** We educate all pupils to understand that the use of drugs and substances is a criminal offence and will be harmful to their health, integrity, independence, family and other relationships, opportunities and careers and will damage the society in which they live. We educate pupils through the PSHE programme, Tutor time and by means of lectures from specialists in the field or by those who have experienced difficulties.
- 7.3 Pastoral Care:** We encourage all pupils to discuss their anxieties about drugs or substances with any member of staff, one of the School Counsellors, psychotherapists or medical professionals within the School Medical Centre, although confidentiality cannot always be guaranteed and will depend upon the specific nature of the concern raised. Matters brought to the Foundation's attention by a pupil or their parents may, at the discretion of the Head of the relevant School (the Head), be "ring- fenced" from disciplinary sanctions or adverse report. In such cases the relevant School will work with the family to address the issues raised, which may include the pupil being placed on a Stage 1 Supportive Regime . A pupil who is suspected of involvement with drugs or substances outside this context will face disciplinary consequences, coupled with a requirement to subscribe to a Stage 2 Supportive Regime .

The Foundation is acutely aware of the potential dangers posed to pupils who are tempted to use

substances such as dietary or body building supplements which, though not illegal, may be detrimental to a pupil's health. PSHE courses and other education initiatives seek to inform pupils of the dangers of misuse of such substances and the Medical Centre staff monitor the ongoing development and circulation of such substances.

If a pupil is found to be using one of these substances, the Foundation will support the pupil and his/her family in managing the situation to ensure, as far as possible, that safe and healthy choices are prioritised.

**7.4 Detection:** Every complaint or report of involvement with drugs and substances will be followed up and investigated. The Foundation reserves the right to inform the Police or any other external agency as appropriate. A pupil suspected of any involvement with drugs and substances must expect, at minimum, to be suspended.

**7.5 Drug use and Sport:** The Foundation prides itself on its sporting ethos and commitment to fair play and honesty. Any pupil found to have taken, or who is suspected of having taken performance enhancing drugs (including but not limited to supplements, stimulants and analgesics) as identified in the World Anti-Doping Association's "prohibited list" is liable to be tested by the Foundation as per this Policy.

See: [2023list\\_en\\_final\\_9\\_september\\_2022.pdf \(wada-ama.org\)](https://www.wada-ama.org/en/resources/education/2023list-en-final-9-september-2022.pdf)

A positive result will be reported to the governing body of the relevant sport and, in line with this policy, the pupil will additionally be expected to sign up to a Stage 2 Supportive Regime. The Foundation will support and enforce the sanction imposed by the governing body, and may seek to impose additional sanctions if deemed appropriate. Refusal to take a test for these substances may be regarded as a disciplinary offence and the Foundation may proceed as if there had been a positive test.

## TESTING FOR DRUGS AND OTHER SUBSTANCES

**8. Biological sample:** If there is **reason to suspect** that a pupil has been involved with drugs or substances, s/he may be asked to supply, under medical supervision, a biological sample for analysis e.g. urine test. The reason for this policy is:

- To deter the use of drugs and substances
- To identify users
- To absolve those who have been wrongly suspected

Reason to suspect use of drugs, or other substances, may arise as a result of information or a complaint received or because of a pupil's behaviour.

If the incident comes to light but a drugs test cannot be relied upon as an indication of whether the pupil has taken a drug or substance, then other evidence may be relied upon in allowing the Head to make his/her determination.

**9. Informed Consent:** The relevant and lawful consent to a drugs or substance test is that of the pupil rather than their parents, even if the pupil is under 16 years of age, provided s/he is of sufficient maturity and understanding and gives his/her informed consent in writing.

- 10. Notifying Parents:** Reasonable endeavours will be made to notify a parent, guardian or education guardian of the requirement for a biological sample and the reasons for that requirement.
- 11. Medical Supervision:** The urine sample, or other biological sample, will be taken under medical supervision, normally by a qualified nurse from the Foundation Medical team. A senior member of the School's management team (the Supervisor) will be present to "supervise" the process and the pupil's Housemaster/mistress (teaching or non-teaching) or Senior Tutor will also support the pupil. The process will be explained to the pupil by the medical supervisor. All due care will be taken to respect the pupil's privacy and human rights. PLEASE NOTE that the pupil will be accompanied to the bathroom but will be alone in the cubicle when a sample is provided.
- 12. Refusal:** If a pupil refuses to provide a urine sample or other biological sample, s/he will be asked to say why s/he has refused. Where possible, parental support will be sought to help the pupil make his/her decision and to understand the consequences of refusing to consent to a test. PLEASE NOTE that if the pupil refuses to provide a biological sample, where the Foundation has reason to suspect a pupil has been involved with drugs or other substances, refusal will be deemed to be an admission of having taken drugs or other substances. In such cases the matter will be dealt with in accordance with this policy where the consumption of drugs and/or other substances has been proven.
- 13. Testing Procedures** will be in accordance with standard good practice:
- When the biological test involves a urine sample being taken, the test will be in two parts. Care will be taken (including the careful measurement of the urine temperature) to make as certain as possible that the sample provided is genuine and uncontaminated
  - The pupil will provide a sample into a commercially available urine testing cup which will within 5 minutes indicate the presence of a drug or substance
  - This testing will take place in the pupil's presence. If the result is negative the remainder of the sample will be destroyed in the presence of the pupil
  - If the initial test of the sample gives a positive or ambiguous result the remainder of the sample will then be sent immediately and securely to a recognised independent laboratory for analysis
  - The Supervisor will organise the paperwork. The pupil will be asked to sign various seals and documents which confirm that the specimens are his/hers. The pupil will also be asked to sign a form which signifies that s/he has been satisfied with the collection and testing procedure and gives consent for the results of the test being made available to the Head
- 14. Medical Record:** The outcome of the test, whether positive or negative, will not form part of the pupil's permanent medical record.
- 15. Outcome:** When the Foundation receives the laboratory report:
- Reasonable attempts will be made to notify a parent (or guardian, where appropriate) by telephone and they will be provided with a copy of the lab report
  - If the result is positive, the pupil or parent may request that a further independent analysis is undertaken;
  - If there is a discrepancy between the result of the initial test and the result from the laboratory, the pupil's original signed account, together with the signed accounts of other pupils will be taken into account when making a decision about any disciplinary action to be taken

## **16. Payment for Drugs Tests**

- The Foundation will pay for the initial drugs test at the medical Centre, and for the subsequent confirmatory test at the laboratory. Further tests as part of the Supportive Regime (Stage 1 or Stage 2) will be paid for by parents.

## **SUBSEQUENT ACTION**

### **17. Procedure**

The Foundation will treat a positive test from the laboratory as evidence that the pupil has been using drugs. Where the test result is positive the Head will act in accordance with:

- The School's disciplinary procedures, as set out in the Promoting Positive Behaviour Policy and, for Mill Hill School and Mill Hill International only, their associated Expectations and Standards document
- The Foundation's Searches Guidance
- The Foundation Expulsion, Removal and Review Policy

### **18. Decision on How to Proceed**

Once the outcome of the investigation is known, the Head will determine the course of action to be taken, which may involve the case being heard at a Disciplinary Meeting. In all cases the full range of sanctions will be considered, including expulsion from the Foundation.

Where a drugs test is positive or the pupil has refused to provide a biological sample, the Head will proceed in accordance with the Foundation's disciplinary procedures and the The Foundation Expulsion, Removal and Review Policy.

### **19. Disciplinary Meeting**

The Disciplinary Meeting will take place in accordance with the Foundation Expulsion, Removal and Review Policy. The Disciplinary Meeting will be with the Head, the pupil and their parents. The Head will determine his/her findings, on the balance of probabilities, and the appropriate sanction and will inform the pupil's parents within 24 hours of the meeting.

### **20. Level of Sanctions:**

- **Level 1:** anyone found to have consumed drugs or substances off the school site and who subsequently returns a positive result when tested must expect to be placed on a Stage 2 Supportive Regime (see below) and may face suspension, depending upon the circumstances
- **Level 2:** anyone possessing or using drugs or substances on the foundation site must expect to be suspended and placed on a Stage 2 Supportive Regime upon his/her return to school

**In both cases (Level 1 and 2):** depending upon the circumstances, established after a formal investigation, the Foundation reserves the right to expel a pupil involved in the possession or use of a drug or substance.

- **Level 3:** anyone found to be supplying drugs or substances (or who is concerned with the supply of drugs or substances), after a formal investigation, must expect to be expelled immediately even if he/she is about to sit public examinations.

In addition to any formal sanction that may be imposed, the Foundation reserves the right to withdraw a pupil from an activity/School trip where there are concerns about a pupil's trustworthiness. In such circumstances, there will be no refund due of monies paid towards the activity/trip.

In determining the level of sanction, the class of drug will always be taken into account and may result in a more serious sanction being imposed. For example, possession or consumption of a Class A drug will, in all probability, lead to a more significant sanction than possession or consumption of a Class C drug (see Appendix A for the standard classification of drugs). In all cases, the Head will take reasonable account of the circumstances of a case and make his/her decision on the balance of probabilities.

**PLEASE NOTE:** The Foundation reserves the right to inform the Police in relation to any of these incidents.

## **21. Pupils on a Supportive Regime**

For pupils who have been placed on a Supportive Regime as per Para 6.2 (Stage 1 or Stage 2), the details of the package/process are as follows:

- The Supportive Regime is a package of support which may be offered by the School to a pupil who has either made a voluntary disclosure of drugs use or who, after an investigation, has been found to have been in possession of/used drugs.
- Pupils will be regularly tested for drugs and other substances every term for at least THREE terms;
- Whilst pupils are able to give consent for these tests, the Foundation will make contact with parents to inform them that a test is taking place (where possible, in advance of the test);
- Pupils will be required to give a biological sample, usually urine, under controlled circumstances in the Medical Centre. The test will be overseen by a senior member of staff and the pupil will be supported by their Housemaster/mistress (teaching or non-teaching) or his/her Senior Tutor. PLEASE NOTE that the pupil will be accompanied to the bathroom but will be alone in the cubicle when a sample is provided;
- The outcome of the test will be communicated to the pupil's parents as soon as possible after the test;
- In the event that the test returns a negative result, this will be recorded and the pupil will return to lessons. In those cases where a positive result is returned, the sample will be split and sent to the laboratory for confirmation of the result. The pupil will remain in the Medical Centre and the matter will be investigated by a member of the Senior Leadership Team.
- The pupil's parents will be informed as soon as reasonably and practicably possible;
- The Head will be informed of the initial result of the test and will decide what action, if any, should be taken (for example suspension of the pupil until the outcome of the second test is known);
- The outcome of the second test will determine any subsequent disciplinary action which will be in accordance with this policy.
- The Regime may include access to counselling, mentoring and a range of other pastoral support.
- The School will also work with the parents/families of those pupils to offer the appropriate support they need, while the pupil is on the regime.

## **22. Governors' Review**

If the decision is that the pupil should leave the Foundation, their parents may request a Governors' Review within 7 days of the decision being notified to them. The decision of the Review panel is final and will be notified to the pupil's parents within 3 days of being made.

## **POLICY ON ALCOHOL**

### **23. Aims**

- 23.1** To have regard for legislation governing the provision, purchase and consumption of alcohol by children and young persons, the requirements of Health and Safety, Food Safety and Alcohol Licensing.
- 23.2** To ensure good management of the Foundation's facilities.
- 23.3** To inform Governors, staff, and parents of pupils of the limited circumstances where a pupil who is over 16 may consume alcohol when under the care of the Foundation.

### **24. Education**

Pupils will be made aware of the dangers to health, the family, school and community of the abuse and misuse of alcohol through the curriculum, including PSHEE, assemblies, workshops and special events, visiting speakers. Parents will also be invited to talks from visiting speakers.

### **25. RULES RELATING TO ALCOHOL**

- 25.1** No pupil may purchase alcohol, bring alcohol onto the Foundation site, supply or be concerned with the supply of alcohol to other pupils or arrive at a Foundation function having clearly consumed alcohol.
- 25.2** Alcohol may only be consumed by Sixth Form pupils at a Foundation event or when on a Foundation trip in the following specific circumstances: when eating a formal table meal (with knives and forks) under staff supervision where specific permission has been given for a "Limited Consumption" (no more than two standard glasses of wine (125 ml) or one pint of beer). Pupils may not, under any circumstances, whilst at the Foundation, in the care of the Foundation or in School uniform, consume spirits.
- 25.3** No boarders may return to the Boarding House intoxicated; this is regardless of whether the pupil is of the legal age permitted to consume alcohol.
- 25.4** The Head hereby authorises any member of the teaching staff and also other staff (or volunteers) who have control or charge of pupils to purchase and provide alcohol for "Limited Consumption" by Sixth Form pupil/s when eating a formal table meal, such as on a Foundation trip or at a Foundation event.
- 25.5** Public Houses:
  - Public Houses ('Pubs') and other Licensed Premises for the sale and/or consumption of alcohol are out of bounds to pupils when under the Foundation's care and control, including during his/her journey to and from the Foundation
  - Public Houses ('Pubs') and other Licensed Premises for the sale and/or consumption of alcohol are out of bounds to pupils when on a Foundation trip unless with the specific authorisation of a member of the teaching staff or other staff (including volunteers) who have the control or charge of pupils on that he Foundation trip
  - The Three Hammers pub is out of bounds to all pupils throughout the Foundation term

**25.6** The Foundation reserves the right to breathalyse pupil(s) who a teacher or other member of staff or volunteer reasonably believes to be intoxicated. The outcome of the test will determine subsequent action to be taken. If a pupil refuses to undertake the test, s/he will be asked to say why s/he has refused. Where possible, parental support will be sought to help the pupil make his/her decision and to understand the consequences of refusing to consent to a test.

**PLEASE NOTE** that if the pupil refuses to undergo a breathalyser test, where the Foundation has reason to suspect the pupil has been involved with alcohol, refusal will be deemed to be an admission of having consumed alcohol. In such cases the matter will be dealt with in accordance with this policy where the consumption of alcohol has been proven.

**25.7** Failure of a pupil to comply with this Alcohol Policy will result in an appropriate sanction in accordance with their School's Expectations and Standards, Behaviour or other relevant Policy.

**25.8** The sanction imposed will be considered on an individual basis and will take account of the nature and seriousness of the particular situation.

**25.9** A pupil who is present with another pupil who is in contravention of this Alcohol Policy, may also receive an appropriate sanction.

**26. REVIEW:** This Policy shall be reviewed bi-annually, or more frequently if it is deemed necessary.

Last Review: March 2023

## APPENDIX A

### DRUG CLASSIFICATIONS

In the UK, illegal drugs are classified into three main categories. They can be Class A, B or C, with A attracting the most serious punishments and fines.

Each drug is designated as controlled under the Misuse of Drugs Act 1971 and is allocated to a class based on the harm it is considered to cause.

Under the Misuse of Drugs Act, it is an offence:

- to unlawfully possess a controlled drug
- to possess a controlled drug with intent to supply it
- to unlawfully supply (sell/give/share) a controlled drug
- to allow premises you occupy or manage to be used for the smoking or use of drugs

The table below categorises drugs by Class: A, B and C and shows the sentences for possession/supply and production if found guilty in a court of law.

		Possession	Supply & Production
A	Crack cocaine, cocaine, ecstasy (MDMA), heroin, LSD, magic mushrooms, methadone, methamphetamine (crystal meth)	Up to 7 years in prison, an unlimited fine or both	Up to life in prison, an unlimited fine or both
B	Amphetamines, barbiturates, cannabis, codeine, methylphenidate (Ritalin), synthetic cannabinoids, synthetic cathinones (e.g. mephedrone, methoxetamine), ketamine	Up to 5 years in prison, an unlimited fine or both	Up to 14 years in prison, an unlimited fine or both
C	Anabolic steroids, benzodiazepines (diazepam), gamma hydroxybutyrate (GHB), gamma-butyrolactone (GBL), piperazines (BZP), khat	Up to 2 years in prison, an unlimited fine or both	Up to 14 years in prison, an unlimited fine or both