



1. Introduction

1.1 This guidance complements the revised GDST *Drugs and Alcohol Policy*, which has been updated to reflect developments in the types of substances being used by young people, and to take account of current government guidance. The guidance aims to support schools and provide clear procedures for dealing with drug-related incidents.

1.2 Annex A contains recommended procedures for schools for dealing with drug-related incidents.

1.3 Annex B contains procedures which need to be followed for searching and confiscation.

2. Individual school policies and procedures

2.1 Each school should have its own policy, which must be consistent with the overarching GDST *Drugs and Alcohol Policy*. A policy template is available but adopting the template is not mandatory.

2.2 The school's policy should include:

- A statement of aims
- A definition of drugs and drug-related incidents
- Clear statements outlining the scope of the policy and the rules relating to illegal and legal drugs in school
- The school's policy on the circumstances in which pupils are permitted to consume alcohol (if at all)
- Information on the education about drugs the school provides
- Procedures for dealing with drug-related incidents
- Procedures for searching for, confiscating and disposing of drugs or suspected drugs
- Pastoral support and disciplinary sanctions
- How the school works with parents and carers
- Details and contact information for sources of support

2.3 The policy should be dated, kept under regular review, and should be cross-referred with the GDST *Drugs and Alcohol Policy* and guidance, the school's *Safeguarding and Child Protection Policy* and GDST *Safeguarding Procedures*, the GDST *Administration of Medicines Protocol*, the school's behaviour policy, and policies relating to educational visits.

2.4 It is advised that schools develop a whole school approach to drugs, reflected in its policy, PSHE programme, and wider engagement with pupils, staff, parents and the community.

2.5 Each school must designate a senior member of staff with responsibility for drug-related incidents, and a deputy to act in their absence. They will be responsible for the policy and liaising with local police and other support services as appropriate. This will usually be the school's Designated Safeguarding Lead (DSL).

2.6 Staff with responsibility for the policy should ensure they are familiar with the relevant government guidance. At the date of writing these include:

DfE and ACPO Drug Advice for Schools 2012 which includes a suggested Drug Policy Framework, and a list of useful organisations for reference

<https://www.gov.uk/government/publications/drugs-advice-for-schools>

Welsh Assembly Government Guidance on Substance Abuse Education 2013

<https://gov.wales/substance-misuse-education-guidance>

3. Additional steps for schools

3.1 Appropriate staff training should be put in place to ensure awareness of relevant issues, such as how to identify potential drug-related incidents, and the safeguarding issues noted below. In particular, schools should consider appropriate training for those designated with responsibility for drug-related incidents, and for those authorised by the Head to carry out searches.

3.2 Schools should keep under review the delivery of their drug-education programme, through the curriculum, science, PE (performance enhancing drugs), PSHE, English and Drama, and involve school counsellors/nurses, external agencies and speakers as appropriate. Staff delivering drugs-related content on the PSHE programme should be provided with appropriate training to ensure they have the relevant knowledge and feel confident with the material.

3.3 It is advised that schools establish relationships with local children and young people's services, health services, and voluntary sector organisations, as appropriate, to ensure support is available to pupils affected by drug misuse, including parental drug or alcohol problems.

4. Sources of external support

4.1 Some of the main drug support organisations are listed below.

Adfam: <https://adfam.org.uk/> - focuses on support for families

ASH: <https://ash.org.uk/> - action on smoking and health

Drinkaware: <https://www.drinkaware.co.uk/> - promotes responsible drinking

FRANK: <https://www.talktofrank.com/> - drugs awareness campaign and support / advice

Re-Solv: <https://www.re-solv.org/> - focuses on solvent and volatile substance abuse

We are with you: <https://www.wearewithyou.org.uk/> - support with alcohol, drugs or mental health from a local service or online

Annex A: Recommended procedures for dealing with a drug-related incident

1. Response to an incident

Drug related incidents can include emergencies, observations and discovery, disclosure, suspicion and rumour. This would include situations such as students smoking in school, being intoxicated on school premises, dealing in an illegal substance, making a disclosure about their own drug use or expressing concern about another's drug use, on or off the school site. In all drug-related incidents the following steps should be followed:

1.1 Medical Emergencies: Consider if there is any medical emergency. The safety of the individual and those around them is paramount. The utmost priority in any drug related situation must be on safety, and any medical emergencies should be met immediately with first aid, and summoning appropriate help, before addressing the wider issues. Anyone who is unconscious, having trouble breathing, confused, or disorientated, or who has taken a potentially harmful substance / may be under the influence of a drug, should be responded to as an emergency. If there is any doubt, medical assistance should be immediately obtained.

1.2 Report: The incident must be reported to the Head and staff member responsible for dealing with drug-related incidents (see above) as soon as possible. Whilst staff may offer sensitive advice and support, any information about illegal activity or a safeguarding risk cannot be held in confidence.

1.3 Assess: All situations should be carefully considered before deciding on the response. If there is a potential safeguarding concern, the Safeguarding and Child Protection Policy must be followed. At this stage the school should contact the pupil's parents unless this would not be in the pupil's best interests or prejudice an investigation.

1.4 Investigate: The school should carry out an appropriate investigation. In addition to questioning relevant individuals, this may involve searching, confiscation and potentially the use of reasonable force (see Annex B)

1.5 Support and/or sanction: Following the investigation, the school should consider what type of support and/or disciplinary sanction would be appropriate in the circumstances. Decisions about the response will depend on the severity and context of the situation.

1.6 Refer: The police should be informed of any incident involving a suspected illegal drug. Incidents involving legal drugs may remain a school matter. However, schools are advised to contact Trading Standards or the police if local shops are selling drugs to underage pupils.

1.7 Record: The incident should be recorded on CPOMS. Schools should ensure that the information is treated sensitively with due regard for confidentiality (see below).

2. Safeguarding

2.1 In dealing with drug-related issues, schools must be aware of their duties relating to safeguarding pupils. In particular, staff must be aware that drug, alcohol, and substance misuse can be a sign of possible emotional and/or sexual abuse, or can be connected to Child Sexual Exploitation (CSE) or Child Criminal Exploitation (CCE). Further information is set out in the GDST *Safeguarding Procedures*.

2.2 Schools should ensure that staff are aware of signs which might indicate that a pupil is either particularly vulnerable to the misuse of drugs, and the signs which suggest they are in fact using drugs, or that a member of their family is using drugs. Any such concerns should then trigger a report to the Designated Safeguarding Lead (DSL), who should liaise as appropriate with the person responsible for dealing with drug-related incidents (if this is a different person).

2.3 Consideration should be given as to whether any other support, referral or needs assessment is appropriate in the circumstances, to safeguard the well-being of the pupil. Schools must consider the best interests of the young person, who may need support, and of any other pupils who may have been affected by the incident.

3. Information Sharing and Consent

3.1 Schools should be aware of the guidance on confidentiality, information sharing and consent set out in the GDST Safeguarding Procedures when considering the need to share information with third party agencies for reasons connected with the safeguarding or well-being of a child.

3.2 If staff have a safeguarding concern, including any concern about the well-being of a pupil, and are unsure about whether or how to share information appropriately, guidance should be sought from:

- The DSL
 - The local authority designated officer (LADO), which can potentially be on a no names basis
 - The Legal department at Trust Office
 - Information sharing government guidance:
<https://www.gov.uk/government/publications/safeguarding-practitioners-information-sharing-advice>
 - ICO - Data sharing code of practice October 2021 [_https://ico.org.uk/for-organisations/guide-to-data-protection/ico-codes-of-practice/data-sharing-a-code-of-practice/](https://ico.org.uk/for-organisations/guide-to-data-protection/ico-codes-of-practice/data-sharing-a-code-of-practice/)

Annex B: Search and confiscation

1. Introduction

1.1 Investigation into drug-related incidents may involve a decision as to whether or not it is reasonable and proportionate to carry out a search, whether to use reasonable force, whether to confiscate or dispose of any item found, whether to inform parents, and whether to inform the police.

1.2 Detailed guidance is provided in Searching, screening and confiscation DFE July 2022:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1091132/Searching__Screening_and_Confiscation_guidance_July_2022.pdf

1.3 The key points relevant to drugs are set out below for ease of reference.

2. Power to search

2.1 With consent

There is a power to search pupils for any item with their consent where there are reasonable grounds to suspect that the pupil may have a prohibited item or an item banned by the school rules. The member of staff should ensure the pupil understands the reason for the search and how it will be conducted so that their agreement is informed.

2.2 Without consent

Heads and staff authorised by the Head have a statutory power to search without consent, where they have reasonable grounds for suspecting that a pupil may have a prohibited item or an item banned by the school rules for which a search can be made.

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)

Subject to the search rules below, schools can search clothing and possessions (any goods over which the pupil has or appears to have control), including pockets, bags, desks and lockers.

3. Search rules

3.1 There must be reasonable grounds for suspecting a pupil is in possession of a prohibited item or an item banned by the school rules for which a search can be made. Before any search takes place, the member of staff conducting the search should explain to the pupil why they are being searched, how and where the search will take place, and provide the opportunity to ask questions.

3.2 The staff member conducting the search must be the same sex as the pupil and there must be another staff member present as a witness, who should also be the same sex as the pupil if at all possible. In

exceptional circumstances, a staff member not of the same sex may search a pupil (with or without a witness present) if the staff member believes there is a risk that serious harm will be caused to a person if the search is not carried out as a matter of urgency, and it is not reasonably practicable for the search to be carried out by a member of staff who is the same sex as the pupil or for the search to be carried out in the presence of another member of staff.

3.3 It is important to record the basis for reasonable grounds for the search e.g. staff heard pupils discussing the item, or suspicious behaviour of a pupil.

3.4 Location: Searches can only be carried out on school premises, or if off school premises, where the member of staff has lawful control or charge of the pupil, e.g. on trips.

3.5 Searches can be of a pupil's clothing and possessions (any goods over which the pupil appears to have control including pockets, bags, desks and lockers). However, you cannot require a pupil to remove any clothing other than outer clothing (not worn next to skin, or immediately over a garment that is being worn as underwear). A member of staff's power to search does not permit them to conduct a strip search: such searches may only be carried out by police officers under the [Police and Criminal Evidence Act 1984 \(PACE\) Code A](#) and in accordance with the [Police and Criminal Evidence Act 1984 \(PACE\) Code C](#).

3.6 Heads may want to:

3.6.1 Consider setting out in their local policies or internally who is authorised to carry out searches, although staff can of course be authorised on a case-by-case basis;

3.6.2 Consider whether authorised staff require additional training for this - Heads cannot require staff (other than security staff) to carry out a search if they refuse; and

3.6.3 Check that it is clear in the school's behaviour policy those items which are prohibited, and (separately) the items which are banned by the school rules.

3.7 Following a search and whether or not any items have been found, staff should consider if the reasons for the search, the search itself, or the outcome may give cause to suspect that the pupil is suffering or is likely to suffer harm. Consideration should be given to whether any specific support is needed. In this instance, staff should follow the Safeguarding and Child Protection Policy and speak with the DSL as set out in Part 1 of *Keeping Children Safe in Education*. See Section 6 'Confiscation' below for guidance on items found as a result of a search.

4. Informing parents/guardians

4.1 Schools are not required to inform parents before a search takes place, or to seek their consent to search their child. However, schools may take the view that it would be appropriate to involve parents/guardians prior to the search, to avoid allegations, for example, that the child could not give informed consent, or was "ambushed".

4.2 As a matter of best practice, and except as noted below, parents should be informed of any search for a prohibited item and the outcome of the search as soon as is practicable. A member of staff should inform the parents of what, if anything, has been confiscated and the resulting action the school has taken, including any sanctions applied.*.

4.3 Schools should consider that in some circumstances it might also be necessary to inform parents of a search for an item banned by the school rules.

*An exception to this is if there may be a safeguarding reason as to why it may not be in the best interests of the child for parents/guardians to be informed. In such cases, the DSL should liaise with the LADO in accordance with the Safeguarding and Child Protection Policy and GDST Safeguarding Procedures, and act in accordance with this advice. Advice can also be sought from the Legal department at Trust Office.

5. Use of reasonable force

5.1 It is worth reiterating the guidance on the use of reasonable force from the GDST *Safeguarding Procedures*, as this may be relevant in the context of either a search without consent, or if there is a concern that a pupil may be harmed if action is not taken:

All members of staff (and other staff whom the Head has temporarily put in charge of pupils such as volunteers or parents accompanying students on a school organised visit and volunteers with the Head's permission) are legally entitled to use reasonable force to control or restrain pupils but must not use force as a punishment. This entitlement applies not only whilst on school premises but also whenever a teacher (or other person with the Head's permission) has lawful control or charge of pupils.

In addition to the general power to use reasonable force, Heads and staff authorised by the Head can "use such force as is reasonable in the circumstances to conduct a search for prohibited items including, but not limited to, illegal drugs, tobacco and cigarette papers. **However force cannot be used to search for items banned under the school rules, and not otherwise in the list of prohibited items.**

Safe methods of reasonable force must be used for the shortest period of time necessary and with the minimum amount of force necessary to achieve the desired result.

All incidents involving use of restraint must be reported and recorded in accordance with the school's own internal policies and procedures.

When using reasonable force in response to risks presented by incidents involving pupils with SEND, mental health or medical conditions, schools should carefully recognise the additional vulnerability of these groups. They should also consider their duties under the [Equality Act 2010](#) in relation to making reasonable adjustments:

<https://www.legislation.gov.uk/ukpga/2010/15/contents>

5.2 For further information schools should refer to the DfE guidance on Use of Reasonable Force: advice for headteachers, staff and governing bodies – July 2013:

https://assets.publishing.service.gov.uk/media/5a819959ed915d74e6233224/Use_of_reasonable_force_advice_Reviewed_July_2015.pdf

6 Confiscation / what to do with items found

6.1 As a general rule,

an authorised staff member carrying out a search can confiscate any item that they have reasonable grounds for suspecting:

- poses a risk to staff or pupils;
- is prohibited, or identified in the school rules for which a search can be made, or
- is evidence in relation to an offence

6.2 Items can be confiscated, retained or disposed of as a disciplinary penalty, when it is reasonable to do so.

6.3 Specific items:

6.3.1 Where illegal drugs are found or substances believed to be illegal drugs and/or other illegal items are found, these should generally be delivered to the police as soon as possible, but may be disposed of if the person thinks there is good reason to do so.

6.3.2 Confiscated items suspected to be illegal should be sealed in a plastic bag with details of the date and time of the find and witness present, and stored in a secure location until it is handed to the police.

6.3.3 Alcohol, tobacco and cigarette papers are not illegal but are prohibited items. They may be retained or disposed of as appropriate, but not returned to the pupil.

6.3.4 Members of staff should use their judgement to decide to return, retain or dispose of e-cigarettes and other drugs which are not prohibited but banned under the school rules.

7 Police

7.1 When determining what is a good reason for not delivering illegal drugs or stolen items to the Police, the member of staff should consider all relevant circumstances and use their professional judgement to determine whether they can safely dispose of the article/substance.

7.2 The possession, supply, or taking of drugs may involve a criminal offence, and effective liaison with the police may help in the appropriate handling of such incidents. The police would not normally need to be involved in cases of legal drugs, but schools may wish to inform trading standards or the police about the inappropriate sale or supply of tobacco, alcohol, legal highs or volatile substances to pupils in the local area.

7.3 The law does not require the school to inform the police of the name of the pupil from whom the drugs were taken, but the guidance advises this.