Substance Misuse Policy

Scope and Purpose of Policy

This policy is underpinned by the Group's vision – Inspirational, Inclusive and Influential and will support our work towards the key drivers of Quality, Efficiency and Growth.

Cardiff and Vale take the welfare of its staff and learners seriously and we are committed to ensuring we have a college where everyone is treated equally and with respect. The College will comply with its legal obligations with regards to substance misuse to ensure an appropriate learning environment and recognising our pastoral role, aims to demonstrate a positive attitude to the education of its learners in this area. We will not tolerate the misuse of drugs or the illegal supply of these substances. The purpose of this policy is to ensure that this ethos is embedded within the College and that all staff, learners and visitors are aware of the importance that we attach to behaviours that support it.

This policy applies to:

- All learners within the Group, regardless of mode or location of study.
- All staff within the Group.
- All partners and franchise organisations.
- Visitors to the Group.

Definitions around Drugs and Substance Misuse

The term 'drugs' is used to refer to a substance that changes a person's mood or body function and includes:

- All illegal drugs
- All legal drugs including alcohol, volatile substances (those giving off a gas and vapour which can be inhaled), ketamine, khat, 'New and Emerging Drugs (NEDS)' and alkyl nitrates
- Over the counter and prescription medicines used illegally
- Cigarettes (outside specified areas)

Further information on the legal situation can be found in Appendix 1.

Policy Statements

This Policy is underpinned by several key principles:

- People who access Cardiff and Vale College must be **safeguarded** and **protected** from harm.
- Our learners must be supported to achieve their potential while at College, in an environment where their **wellbeing** is fulfilled so they feel good about themselves and respect others.

- While at College our learners will develop the **skills** they need to enable them to progress successfully throughout their lives.
- A commitment to restorative approaches to ensure that we repair harm and build relationships.

The College is committed to:

- Ensuring that there is no use of drugs or alcohol on college premises – outside the sale and use of alcohol in the restaurants or at other approved events and cigarettes in designated smoking zones.

- Ensuring that any drug related incidents are dealt with quickly and consistently in line with the Learner Relationship Policy and Procedures. These procedures will involve informing the Police if anyone is found to be supplying drugs, although there is no legal requirement of this.

- Informing the College community of these procedures; to ensure that everyone is aware of the dangers of substance misuse and what they should do if an incident occurs.

- Promoting an understanding of drugs and the implications of substance misuse. This will be done through training for staff, through the induction and tutorial process for learners, themed events and using cross-college publicity and posters. The College will develop links with external organisations who can offer information and support to us and our learners.

- Recording and monitoring instances of substance misuse to ensure that the correct procedure is being followed and that we respond effectively to any areas of concern or trends.

- Reviewing regularly the effectiveness of our policy and our response to substance misuse and acting on any areas of concern.

Responsibilities

The Governing Body will be responsible for ensuring that:

- The Policy is reviewed on a regular basis (as per the policy terms of review) and appropriate advice is given on content. The Main Board approves the policy.

The Principal will be responsible for ensuring that:

- The College's Substance Misuse Policy and procedures are fully implemented and followed by staff.
- Sufficient resource is allocated to this area.

The Senior Planning Group will be responsible for:

- Reviewing this Policy and the attached procedures.

- Monitoring the application of the procedures, supporting staff to adhere to the policy and responding effectively to any areas of concern.
- Ensuring that relevant college procedures and practices e.g. admissions, tutorial etc.
- Supporting the College to develop a culture where appropriate behaviour and respect is championed.
- Providing appropriate training and development.

The Dean of Learner Journey is responsible for:

- Maintaining the currency of this policy and associated procedures.
- Ensuring the allocation of appropriate resources to meet the requirements of the policy and associated procedures.
- Appropriate steps are taken to monitor data linked to this policy and that this data is used to inform and improve practice.

The Dean of Quality Improvement is responsible for:

- Maintaining the currency of this policy and associated procedures.
- Providing appropriate training and development.
- Ensuring that appropriate steps are taken to monitor data linked to this policy and that this data is used to inform and improve practice.

The Head of HR is responsible for:

- Ensuring that the College's disciplinary procedures for staff make provision for wilful or recurrent non- compliance with this Policy.

Duty Heads are responsible for:

- Dealing with incidents and the person/s involved following College LRM procedures.
- Recording any incidents

All Staff are responsible for:

- Treating all learners with dignity and respect, to ensure their own conduct does not cause offence or misunderstanding.
- Being aware of this policy and the procedures and working in a way that does not contravene their contents.
- Working within the requirements of Data Protection and GDPR.
- Acting in line with this Policy if they witness anything or are approached by learners about an issue. Ensuring that any allegations are treated seriously and are investigated thoroughly.
- Attending CPD events on aspects of safeguarding and substance misuse.
- Being aware of where to access information on external organisations who offer support to those who are misusing substances.
- Supporting our learners through any incident.

- Supporting the College to develop a culture where appropriate behaviour and respect is championed.

Students are responsible for:

- Attending induction and tutorial sessions to ensure they are aware of the policy and the issues it raises.
- Behaving in a way that supports the Policy across College, ensuring any concerns relating to other learners are passed on to staff.
- Supporting the College to develop a culture where appropriate behaviour and respect is championed.
- Contributing to learner surveys and focus groups.

Visitors are responsible for:

- Behaving in a way that supports the Policy across College.

Legislation and Guidance

The policy was written with reference to the following Government initiatives and guidance:

- Working Together to Reduce Harm (2008-2018)
- Guidance on Substance Misuse Education 107/2013 (2013)
- School Standards and Organisation (Wales) Act

Equality and Diversity Statement

In accordance with College procedures, this Policy was written with consideration of the impact of individuals as per the Equality Act.

Health and Safety Implications

There are no Health and Safety implications for this policy outside which have already been noted in the text.

Welsh Language Standards

This policy provides opportunities for persons to use either the Welsh or English language. The duties which come from the Standards mean that organisations should not treat the Welsh language less favourably than the English language, together with promoting and facilitating the use of the Welsh language ie making it easier for people to use in their day-to-day life.

Linked Policies

- Equality and Diversity
- Health and Safety

- Data Protection
- Quality
- Teaching, Learning and Assessment
- Safeguarding
- Learner Relationship Management
- Disciplinary (Staff)
- Grievance (Staff)
- Bullying & Harassment

Linked Procedures

- Equality and Diversity
- Health and Safety
- Data Protection Procedure
- Safeguarding
- Learner Relationship
- Student Bullying & Harassment

See Appendices

- Appendix 1 Drugs and the Law
- Appendix 2 Learner Behaviour Guidelines – Gross Misconduct

Communication and Storage

This policy is published on the company website.
This policy is stored on the company intranet.
This policy is shared with learners.

Glossary

None

Approval, Change and Review

This policy is reviewed every 2 years.

There is a Welsh version of this document available.

Cardiff and Vale College
Coleg Caerdydd a'r Fro

Date approved:	07/07/21	**Responsible Manager**:	James Donaldson
Approved by:		**Executive Lead:**	**Sharon James**
Review date:	**07/07/23**	**Accessible to Students:**	:

Appendix 1 - Information on Drugs and the Law

The Misuse of Drugs Act 1971

This act is intended to prevent the non-medical use of certain drugs. Drugs subject to this Act are known as 'controlled' drugs. The law defines a series of offences, including unlawful supply, intent to supply, import or export ('trafficking' offences), and unlawful production. The Misuse of Drugs Act also prohibits unlawful possession. To enforce this law the police have the special powers to stop, detain and search people on 'reasonable suspicion' that they are in possession of a controlled drug.

The Misuse of Drugs Act (MDA) regulates what are termed controlled drugs. It divides drugs into three classes as follows:

Class A: These include, cocaine and crack (a form of cocaine), ecstasy, heroin, LSD, methadone, methamphetamine (crystal meth), magic mushrooms containing ester of psilocin and any Class B drug which is injected.

Class B: These include amphetamine (not methamphetamine), barbiturates, codeine, ketamine and cannabis. All cathinone derivatives, including mephedrone, methylone, methedrone and MDPV were brought under control as Class B substances in 2010.

Class C: These include anabolic steroids, minor tranquillisers, GBL and GHB, and khat.

Class A drugs are treated by the law as the most dangerous. Offences under the Misuse of Drugs Act can include:

- Possession of a controlled drug.
- Possession with intent to supply another person.
- Production, cultivation or manufacture of controlled drugs.
- Supplying another person with a controlled drug.
  Offering to supply another person with a controlled drug.
- Import or export of controlled drugs.
- Allowing premises you occupy or manage to be used for the consumption of certain controlled drugs (smoking of cannabis or opium but not use of other controlled drugs) or supply or production of any controlled drug.
- Certain controlled drugs such as amphetamines, barbiturates, methadone, minor tranquillisers and occasionally heroin can be obtained through a legitimate doctor's prescription. In such cases their possession is not illegal.

Penalties

Maximum sentences differ according to the nature of the offence – less for possession; more for trafficking, production, or for allowing premises to be used for producing or supplying drugs. They also vary according to how harmful the drug is thought to be.

Less serious offences are usually dealt with by magistrates' courts, where sentences can't exceed six months and/or a £5,000 fine, or three months and/or a fine. Most drug offenders are convicted of unlawful possession. Although maximum penalties are severe, only around one in five people convicted of possession receive a custodial sentence and even fewer actually go to prison, with the majority of fines £50 or less.

Taken from: http://www.drugwise.org.uk/what-are-the-uk-drug-laws/ 25/10/16

Appendix 2 Levels of Learner Behaviour - Guidelines

Gross Misconduct

Gross misconduct will normally involve a temporary suspension whilst a full investigation of the incident is completed. If the investigation indicates gross misconduct the learner will be referred to a Disciplinary Hearing which could result in exclusion from the College.

Junior Apprentice Disciplinary Hearings will be attended by College and Local Authority representatives. Any excluded learners may be referred back to schools or to other partner organisations.

Examples of gross misconduct are:

- Abusive language/threats against a member of staff, fellow student or visitor;
- Harassment/victimisation of others based on protected characteristics e.g. gender, race, sexual orientation, disability or religious belief etc;

- Physical assault;
- Carrying an offensive weapon;
- Deliberate damage to College buildings or property or the property of others;
- Being under the influence of illegal drugs, in possession of illegal drugs, taking or attempting to buy or sell illegal drugs on College premises;
- Theft of property;
- Mugging;
- Committing arson on College premises;
- Plagiarism should be treated as serious or gross misconduct under this Policy, depending on the circumstances.

Please note the following:

- The above lists are neither prescriptive nor exhaustive – they are intended as a guide only. The categorisation of misconduct is a matter of professional judgement and this may alter as a result of information gained in investigating or hearing the matter.

- Certain conduct may potentially constitute a breach of law and will normally be reported to the police.