



# Alcohol, Tobacco & Illicit Drugs Policy

ADP2020-1.3

<b>Purpose:</b>	The purpose of this policy is to address the use of prescription, legal and illicit drugs at The Spot Academy and to give guidance to teachers, parents, students and administrators on the consequences of a drug incident at the Academy, either on campus or at Academy functions.	
<b>Scope:</b>	This policy applies to employees, volunteers, parents/carers and students and to all Academy activities, including Academy social events, camps, excursions and sporting events in which the school may participate. Students travelling away from Academy on official school activities are automatically covered by the policy. The policy outlines the rationale, the responsibilities of all stakeholders and the procedures for dealing with drugs, prescription, legal and illegal, at The Spot Academy.	
<b>Status:</b>	Approved	<b>Supersedes:</b> N/A
<b>Authorised by:</b>	CEO	<b>Approval Date:</b> 7 <sup>th</sup> April 2020
<b>References:</b>	Tobacco and Other Smoking Products Act 1998 (Qld) Liquor Act 1992 (Qld) Australian Privacy Principles Alcohol Policy – Staff Code of Conduct Positive Behaviour Policy	
<b>Reviewed:</b>	2 Years	<b>Next Review:</b> 7 <sup>th</sup> April 2022
<b>Responsibility:</b>	Head of Campus	<b>Point of Contact:</b> Head of Campus / Deputy Principal

## Definitions

For the purposes of this policy, a drug is defined as ‘any substance which affects physical or mental functions’. As such, drugs include a range of materials, many of which are legal in our culture although prohibited from use at Academy. These include alcohol and tobacco products.

## Policy

### Rationale and Objectives

*The primary objective of this policy is to provide for a Academy environment free of drugs, whether the drugs in question are legal or illegal.*

The following values underpin all that follows in the policy and may need to be referred to when the policy itself is unclear in its application to one of the many situations, which may arise.

Every student has the right to come to school to learn in an atmosphere free from the distractions and dangers imposed by drug use.

Parents have the right to expect that their children will be educated in an atmosphere free from the distractions and dangers imposed by drug use.

It is the responsibility of the Academy to ensure that the rights of students and parents are respected in this matter.

The Academy acknowledges that it shares responsibility with parents and the wider community to provide students and parents with factual information on drug abuse and advice on the legal questions surrounding the use of drugs. The values underpinning the Academy's Drugs Policy are:

1. Parents and students have a right to be consulted in the formulation of the policy and to contribute to the ongoing application of the policy.
2. The Academy acknowledges that it shares with parents, responsibility to inform students of the best ways of resisting pressures to become involved in drug use and experiences to build their self-esteem to the level where they feel confident to make informed decisions for themselves.
3. The Academy commits itself to deal compassionately with students who become involved in situations of illicit drug use but such treatment must always be given within the context of due regard for the needs and rights of the whole Academy community.
4. The Academy commits itself to work closely with the police and welfare agencies in this matter and with other secondary Academics, which face common problems in this area.
5. Experience suggests that students who divulge information to staff of the Academy on drug matters sometimes do so at considerable risk to themselves. The Academy commits itself to the protection of students who have the courage to assist the Academy community in this way.
6. It is the responsibility of the Head of Campus to advise the Board on the formulation of policy and the responsibility of the Board to support the Academy in the difficult decisions it may be called upon to make in these matters.
7. Staff share with parents the responsibility for modelling appropriate drug usage both in and out of Academy. Staff accept that they are under an obvious professional obligation to set an example to their students in this matter.
8. Although this policy refers directly to drugs, it also, by extension, applies to the implements involved in the use of drugs. Such implements indicate an intention to use the prohibited drug and will attract penalties consistent with the use of drugs at Academy.

## Policy - Prescription Drugs

From time to time parents may request that members of staff administer prescribed medication during Academy hours. All such requests **must** be referred to the Head of Campus. If the Head of Campus agrees that the situation requires supervised administration of medication the following procedures are to be followed:

1. The student's parents must make a written request to the Head of Campus including instructions for administration of the drug, and any special needs of the student.
2. The Head of Campus will authorise a staff member to administer the medication.
3. Only the designated member of staff has this authority.
4. The designated member of staff must ensure that all medication is in a container labelled by a health care professional or pharmacist, showing:
  - The name of drug
  - Use by date
  - Name of medical practitioner prescribing the drug
  - Name of student
  - Dosage
  - Frequency of administration

Medication, which is not labelled, must not be administered.

5. Non-prescription medications such as analgesics are not to be administered by Academy staff unless the relevant parent permission has been checked with reception staff. Students must be supervised

when consuming medication and dosage details entered into student's medical notes. Drugs to be administered in the designated First-Aid room.

6. All medication is to be kept in a lockable cabinet in the first aid room.
7. An official register on the Administration of Drugs to students is to be kept by reception.
8. Parents are to be notified in writing of the Academy's policy including the requirement that the Academy takes no responsibility to ensure that medication is not out of date or that sufficient quantities of the medication are provided.
9. The designated member of staff is to return all unused medication to parents when the parents inform the Academy in writing that medication is no longer needed or it is past the use-by date.
10. If a member of Academy staff becomes aware that a student has possession of a medication without written advice from a parent, or the parent's advice is inconsistent with the medical instructions provided, he/she should confiscate the medication, store it securely and notify the Head of Campus. The Head of Campus or designated member of staff will contact the parents.

## **Policy - Legal drugs**

There are clear legal sanctions governing the sale to and use of alcohol and cigarettes by minors. These legal sanctions apply at The Spot Academy as in the rest of the community. It is, therefore, the Academy's policy that use of cigarettes and alcohol is banned on all Academy property and at Academy functions, activities or excursions where students are involved.

In formulating the policy, the following has been considered:

1. Work Health and Safety legislation places a duty of care on the employer to provide a safe working environment.
2. It is not unlawful or discriminatory for an employer to ban or restrict smoking or use of alcohol on Academy premises or at Academy related activities.
3. Smoking is now banned in most states in enclosed public spaces.
4. It is illegal to supply cigarettes or alcohol to children less than 18 years of age.
5. It is illegal for persons under the age of 18 to purchase cigarettes and alcohol.
6. An employer may be held liable for illness resulting from passive smoking.
7. Most non-government Academics in Queensland have a complete ban on smoking on Academy premises and at all Academy functions where students are involved, and most Academics restrict the supply of alcohol at Academy functions.

The following applies in relation to the use of alcohol and cigarettes on Academy property or at Academy functions:

1. Students are prohibited from using alcohol and/or tobacco on Academy property or at Academy functions and activities.
2. At School/Academy functions where alcohol is served, it is the responsibility of accompanying parents and the School/Academy to see that the Academy policy and the law are observed.
3. Students who use alcohol at Academy or at a Academy activity will face the following consequences: counselling; involvement of parents; and other penalties depending on the nature of the offence. These penalties could involve withdrawal from Academy activities; detention; loss of privileges at Academy. In most cases, a disciplinary period from Academy would be appropriate.
4. Staff at Academy camps and excursions will refrain from drinking alcohol or smoking. This observation is in keeping with the legal duty of care incumbent on all Academy staff and with the acknowledged need to model appropriate behaviour for students.
5. In this policy, glue, solvents and other inhalants will be treated in the same way as alcohol. That is, their use at Academy is prohibited and their use will attract similar penalties.
6. The Academy undertakes to develop as part of its curriculum, information for students on the responsible use of alcohol and the dangers of tobacco use.

## Policy - Use of Illicit Drugs

All Academy personnel have legal and professional responsibilities to respond to information about, and incidents involving, student use or possession of illicit drugs at Academy or during school activities.

An essential aspect of dealing with the use of illicit drugs is recognition of the fact that even though students may become involved in unlawful activities, they retain certain rights as citizens. These include the right not to divulge information that may incriminate themselves or others; the right to have a legal guardian present; and the right to refuse a search of their possessions or person.

However, students and staff should be aware that possession, use and sale of drugs, and possession of implements related to drug use, is illegal and, in most cases, the police will be called if a student is found in possession of or using an illicit substance at Academy.

It should be noted that students who are 17 years or older are regarded, in the eyes of the law, as adults. An incident involving an adult is very likely to result in court action.

## Responding to an Incident of Illicit Drug Use

### Before the Incident the school will:

1. Include information about drug abuse and decision making as part of the Academy's Human Relationship/Life Skills/Health and Physical Education programs.
2. Ensure staff on playground duty are vigilant and aware of this issue. This includes providing in-service so they are able, for example, to recognise objects commonly used as bongs.
3. Inform students, parents, staff and the police of the Academy's drug policy.
4. Build on trust between students and staff, particularly staff with a welfare responsibility for students such as pastoral care team.

### During the Incident:

1. The Head of School is to be informed and briefed on all drug or suspected drug incidents immediately.
2. Once the Academy has established that there is a drug incident, the Head of Campus will inform the parents of the student/s concerned immediately as well as the CEO.
3. Where a number of students are involved, students are to be isolated as much as possible from one another during the Academy investigation. This will make it easier to arrive at the truth.
4. Academics have a limited capacity to search students and their property. Unless given permission by the student, Academy authorities cannot search their possessions for suspected illicit drugs. Academy authorities do not have the right to do a body search of a young person. Given this caution, it is better to call the police whose responsibility in this area is much clearer.
5. Because of the seriousness of this kind of incident, investigation of an incident involving illicit drugs should be conducted by the Head of Campus or Deputy Principal wherever possible, and with another member of staff present to take notes of the questioning.
6. Accurate record taking is crucial and the writing up of clear and direct records of the incident is to occur as soon as possible after the matter has been investigated. Relevant information is to be placed in student notes in TASS. Drug incidents will also require Incident Reports to be completed for further review and investigation.
7. The Head of Campus or Deputy Principal will inform the relevant staff as soon as possible after the incident, provided in so doing they are not breaching any aspects of the *Privacy Act*. Consideration of whether or not it is appropriate to inform parents and students, particularly if the incident has been

mentioned in the media, is the decision of the CEO / Head of Campus, in consultation with the Board Chair.

8. If police are called to the Academy, Academy staff are expected to respect the responsibility of the police as they conduct their investigation. Police have considerable discretionary power when dealing with juveniles and have shown themselves to be resourceful and compassionate in handling matters of this kind. Students and the whole Academy community benefit when police and the Academy work closely, sharing information and openly seeking the same goals.
9. In investigations where drugs have been seized they must be locked away in an assigned lockable cabinet and handed over to police within 24 hours of seizure.

**Note:** in implementing the Academy's drug policy consideration must be given at all times to protecting the privacy of individual students, and their families.

## **Minimising Illicit Drug Use**

### **In order to minimise illicit drug use, the school will:**

1. Advertise widely that illicit drug use, possession and supply in the Academy is unacceptable and, when detected, will result in serious consequences, including police and parental involvement.
2. Reinforce the unacceptability of illicit drugs in Academy's by consistently carrying through on stated actions.
3. Identify consequences and apply them consistently and fairly to users and suppliers.
4. Establish an environment in which all Academy community members have enough care and concern for each other that they will confidentially pass on information about people using, carrying and/or selling drugs.
5. Use police cautioning processes where possible and utilise reintegration processes such as Community Accountability Conferencing and community services where appropriate.
6. Implement education programs which reinforce consequences of having illicit drugs at Academy.
7. Ensure that detection and deterrent processes are maintained and sustained.
8. Inform the whole community about the processes, possible consequences and potential outcomes of being found with drugs at Academy.
9. Review and evaluate strategies and procedures regularly and revise them as required.
10. Devise a strategy to inform and educate the media in relation to procedures for managing drug incidents in the Academy.