

Alcohol, Drugs and Substance Misuse Policy - Learners

Page 1 of 9

Issue: 3

Issue Date: January 2022

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Purpose

SIRM is committed to maintaining a professional working and learning environment and to ensuring that the use of alcohol and/or drugs does not have an adverse effect on the working and social conditions of SIRM learners.

SIRM has a legal responsibility for the health, safety, and welfare of its learners, staff, and visitors and aims to provide a safe, healthy learning environment.

The purpose of the policy is to set out the SIRM's position on the misuse and abuse of illegal substances, drugs, and alcohol.

SIRM does not permit substance misuse on its premises. Neither does it knowingly permit any learners under the influence of illegal substances on its premises.

SIRM does not excuse the abuse and misuse of alcohol or drugs, and will balance disciplinary action with appropriate support for learners who misuse them.

SIRM recognises that alcohol and drugs will play a part in the lives of some people and will be sympathetic to problems arising from misuse of these substances whilst not excuse such misuse.

Scope

This policy applies to all learners of SIRM, when studying on SIRM premises or elsewhere, undertaking activities on behalf of SIRM or attending SIRM related social events, to staff members who are required to enact the policy during the course of their duties.

Aims

- To provide clarity on substance abuse and misuse
- To provide clear guidelines for staff on the abuse or misuse of drugs and alcohol
- To facilitate the early identification of substance abuse and misuse problems
- To provide suitable support for learners with drug or alcohol issues
- To explain the disciplinary & legal consequences of misuse
- To enable staff to raise concerns associated to drug or alcohol use

Definitions

Misuse – substance misuse refers to the use of illegal drugs and the deliberate misuse of alcohol, prescribed over-the-counter drugs and /or substances such as solvents, glues or aerosols, which impair the individual, interfere with health, affect work or study performance and safety of others.

Drug – this includes any controlled drug (other than alcohol) that produces physical, mental, emotional, or behavioural changes in the user. It also includes controlled drugs and prescription medicines where the prescription medicines have not been prescribed for the person possessing or using them and/or such prescription medicines, which are not taken in accordance with a physician's direction.

Alcohol, Drugs and Substance Misuse Policy - Learners

Page 2 of 9

Issue: 3

Issue Date: January 2022

Review Date: January 2023



Controlled Drugs – includes all chemical substances or drugs listed in any controlled drugs acts or regulations applicable under the law.

Addiction to non-prescribed drugs or alcohol is not a disability under current disability legislation.

Policy Statement

No learner should, in connection with any SIRM activity:

- Attend, or endeavour to attend, study/work having consumed alcohol or drugs likely to render him/her unfit or unsafe for such activities;
- Misuse alcohol or drugs on SIRM premises or when representing SIRM off-site;
- Bring alcohol or drugs onto SIRM premises
- Attempt to sell or supply alcohol or drugs to any other person on SIRM premises

SIRM recognises that addiction to alcohol and drugs may, in some cases be, considered a medical condition. Learners who may have such a condition will be encouraged to seek help and treatment, voluntarily and at an early stage.

In addition to treatment services provided by the student's GP, medical advice, support, and monitoring will available through the Learner Support Service, in confidence and with the informed consent of the learner. Details of a confidential nature will normally only be discussed with the individual's own doctor, other medical specialist, or other staff with the prior agreement of the individual.

The immediate consequences of consumption of alcohol to excess or drug misuse does not excuse misconduct (on or off SIRM premises) or poor academic performance and will not be accepted as a mitigating circumstance in the application of other SIRM policies.

Where learners work on projects with or for external organisations, SIRM requires them to comply with any additional requirements of that organisation's own policies relating to alcohol and drug misuse.

Legal Context

SIRM has statutory responsibilities and duty of care for learners and staff under a number of legislative instruments, which include:

- Health & Safety at Work Act 1978
- Psychoactive Substances Act 2016
- The Misuse of Drugs Act 1971

The Misuse of Drugs Act 1971

This Act is the main law to control and classify drugs that are 'dangerous or otherwise harmful' when misused.

Offences under the Act can include:

- Possession of a controlled substance unlawfully
- Possession of a controlled substance with intent to supply it

Alcohol, Drugs and Substance Misuse Policy - Learners

Page 3 of 9

Issue: 3

Issue Date: January 2022

Review Date: January 2023



- Supplying or offering to supply a controlled drug (even where no charge is made for the drug)
- Allowing premises occupied or managed to be used unlawfully for the purpose of producing or supplying controlled drugs.

SIRM policy is to contact the Police, should it be known that an individual is in possession of, or is suspected of being in possession of, or is supplying to others, or is suspected of supplying any of the drugs listed under the Act to others.

In addition to the legal action, the possession, storage, sale, use, or misuse of a controlled drug as defined by the Misuse of Drugs Act 1971 on SIRM premises is a Disciplinary Offence and SIRM shall take disciplinary action. SIRM may physically search a learner or learner's belongings.

Supply or possession of an illegal drug is unlawful. It is an offence for an employer, an occupier of premises or persons concerned in the management of premises to allow the supply, use or production of drugs to take place on their premises.

The maximum legal penalties for offences involving controlled drugs depend on the classification of the drug.

Alcohol at SIRM

SIRM does not permit the use alcohol on its premises.

In the event that a learner has been found to have consumed alcohol or staff are suspicious that alcohol has been consumed then this will be dealt with under the Disciplinary Policy and Procedures.

A learner believed to be under the influence of alcohol will be asked to leave a lecture, seminar, practical workshop, or other SIRM activity.

Persistent offences will be considered gross misconduct and could result in expulsion.

Learner's Responsibilities

Each learner is responsible for ensuring their own behaviour and performance remains appropriate whilst engaged in SIRM activities and is not affected by alcohol or drug misuse. This includes students undertaking placements

Learners who suspect, or know, that they have an alcohol, or substance-related problem should seek professional help at an early stage, normally through their GP to avoid the problem becoming worse.

Learners should familiarise themselves and comply with any SIRM policy that prohibits consumption of alcohol during study/ working hours.

Learners must not bring, supply, or use alcohol or illegal substances on SIRM premises under any circumstances.

Learners should notify their Tutor if they are taking prescribed medication that could affect their ability to study/ work safely.

Learner should inform a member of SIRM staff if they suspect a fellow learner or another member of staff is under the influence of alcohol or drugs whilst engaged in SIRM activity, especially if the individual is exhibiting behaviour which could result in an accident or danger to themselves or others, or adversely impact on learners. Learners may additionally decide to speak directly with the individual, however this should be done sensitively.

Learner Alcohol, Drugs and Substance Misuse - Procedure

The purpose of this procedure is to provide general guidelines for staff regarding actions to be taken when dealing with an alcohol, drug or substance misuse related incident.

Section 5 of the Misuse of Drugs Act 1971, makes provision for a member of SIRM staff to take possession of a drug or suspected drug in order to prevent a learner offending or continuing to offend. It does not imply staff immunity from prosecution for possession

1. Dealing with Alcohol, Drug and Substance Misuse Related Incidents

There are four broad types of drug and alcohol related incidents, as follows:

- Emergency Intoxication/ Influence: where intoxication/ influence involves a perceived threat to the health, well-being and/or safety of the individual(s) involved and others
- Non-Emergency Intoxication/ Influence: where no immediate danger is apparent but referral for support is advised
- Discovery: where an individual finds a learner in possession of, or using what is thought to be, an illegal drug or drug-related paraphernalia (e.g. a syringe).
- Disclosure, Suspicion or Rumour: where a third party alleges that a learner is misusing drugs and/or alcohol, where this allegation may be substantiated by evidence.

2. Key Stages for Dealing with a Drug/ Alcohol/ Substance Related Incident

2.1. Stage 1: Initial Assessment of the Incident and Immediate Action

Any member of staff (First Responder) who becomes aware of an alcohol/drug/substance related incident will need to make an initial assessment of the situation and take any necessary immediate action. This action may involve, where appropriate:

- Assessing the incident
- Escalating the incident to the campus and/or person responsible for the area
- Responding to the incident
- Reporting and recording the incident

2.1.1. Assessing

The First Responder should assess the incident with the aim of deciding what steps to take next. The First Responders should ask themselves 'what sort of Health & Safety officer if incident is occurring'?

2.1.2. Escalating

Escalate the incident immediately to either the Health & Safety officer and/or person responsible for the area.

2.1.3. Responding to an Emergency or Non-Emergency Intoxication/Influence Incident

Where a learner is intoxicated or under the influence of alcohol, drugs, or other substances, the following should be carried out, where appropriate:

- Remove learner from the initial area of risk.
- Together with either Health & Safety officer or Person Responsible for the Area, interview the learner to investigate the situation further.
- Advise the learner of the potential consequences of their behaviour.
- Confiscate drugs/suspicious substances wherever possible, without escalation or conflict.
- Request statements from any witnesses.
- Direct the learner to information and support available:
 - General information, advice and guidance.
 - Information or referral to specialist external support services
- Promptly report and record the incident.

If, in assessing the incident, staff believes that the learner is at SIRM under the influence of alcohol, drugs or substances, and where such attendance is deemed by staff to be disruptive and contravening the SIRM Rules or in breach of Health & Safety Regulations, the student will be requested to leave SIRM premises.

Make all reasonable efforts to ensure that the learner can leave safely to an appropriate place such as their home or accommodation. In cases where staff are concerned about the learner's ability to reach an appropriate place safely, the Person Responsible for the Area should contact the First Aider. The First Aider will endeavour to ascertain from the learner an appropriate place for them to go and may contact a taxi company to provide transportation. In such cases, SIRM will retrospectively charge the learner for costs incurred.

Where the First Aider deems it necessary, they will refer the learner to their doctor or emergency services.

Parents/carers/guardians should be informed where the learner is under 18 years of age by a designated person identified by the Person Responsible for the Area, only where consent have been given by the learner.

2.1.4. Responding to a Discovery

When the First Responder or Person Responsible for the Area becomes discovers a suspicious item or substance with reasonable cause to believe that it may be an illicit or illegal substance, or discovers an item (or items) which lead to suspicions that illegal substances may be in use on the premises, then they should take the following steps:

- Remove learner(s) from the initial area of risk.
- Together with either Health & Safety Officer or Person Responsible for the Area, interview the learner(s) to investigate the situation further.
- Request statements from any witnesses.

- Remove any drugs/suspicious substances that have been discovered -without a confrontation.
- Direct the learner to information and support available:
 - General information, advice and guidance.
 - Information or referral to specialist external support services
- Promptly report and record the incident.

2.1.5. Responding to a Disclosure

Where there is a report (allegation or complaint) about learner who is suspected of being in personal possession of drugs or is allegedly engaged in substance misuse the following should be carried out, where appropriate:

- Together with either Health & Safety Officer or Person Responsible for the Area, interview the learner(s) to investigate the situation further and gather as much information and/or evidence relating to the disclosure.
- The Person Responsible for the Area to arrange to meet with learner(s) concerned to discuss about the allegation.
- Advise the learner of the potential consequences of their behaviour
- Direct the learner to information and support available:
 - General information, advice and guidance.
 - Information or referral to specialist external support services
- Promptly report and record the incident.
- Advise the learner of the potential consequences of their behaviour

2.1.6. Reporting and Recording Incidents

All incidents should be reported in accordance with SIRM Health and Safety Policy and an Accident and Incident Reporting form should be completed.

If a suspicious item/substance has been found, the Person Responsible for the Area should:

- Complete a Drugs Log Sheet (See Appendix 1), and include signed statements of witnesses, within 24 hours. The Drugs Log Sheet should confirm:
 - the date the suspicious substance/item was found or is suspected to be
 - the exact location found
 - who was present at the time the substance/item was found
 - the storage procedure for the item(s).
- Lock the sealed and labelled item(s) in a secure place to prevent unauthorised access.
- All seizures of suspected illegal substances should be reported to the police within 24 hours via their non-emergency number.
- The person responsible for responding to the incident will keep a clear record of any actions, and the decisions behind those actions.
- The completed Drugs Log record should be passed to either the Registrar as a report of action to date.

2.2. Stage 2: Decision on next appropriate step

All information regarding the incident (e.g. a copy of the Incident & Accident form and Drugs Log) should be forwarded to the Registrar indicating the course of action taken.

The Registrar shall review the investigation report and will make a decision as to the appropriate next steps.

Should the Police decide to pursue an investigation or prosecution, any disciplinary action will normally be deferred until the Police have concluded their investigations and any criminal proceedings have been completed. SIRM reserves the right to take disciplinary action without any such deferral.

Should the Police decide not to pursue the matter further, action will be invoked against those concerned by the Registrar.

The Registrar shall consider and determine whether the learner(s) should be subject to Disciplinary Action under SIRM Rules for Learner Conduct.

In serious cases, disciplinary action may lead to suspension or exclusion from SIRM.

Where illicit substances (or legal substances to excess) are confirmed, the learner will be provided with information regarding controlled substances or alcohol abuse as appropriate and will be referred for support.

Should the Registrar be reasonably satisfied that the substance is not an illicit/illegal substance, no further action shall be taken and this outcome shall be notified to the learner(s) in writing and, should any items have been confiscated, they will either be destroyed with the learner's consent or returned

Learners have the right to appeal against any disciplinary sanction applied to them. The appeals procedure is described in SIRM Rules for Student Conduct

2.3. Stage 3: Monitoring

After the issue has been resolved, the general information about the case (without any information that might identify the learner involved) will be passed to the Registrar.

Information will be reviewed quarterly and will be used to determine the level and trends of drug or alcohol misuse in SIRM, and to inform SIRM policy concerning learner and staff information and training needs.

Education

SIRM will endeavour to increase awareness and understanding of drug and alcohol related issues by producing publicity material to raise learner awareness e.g. posters and leaflets and training to relevant staff.

Where to Get Help?

As a learner, a good place to start is to visit your GP. You can discuss your concerns with your GP and they will be able to assess the nature of your problems and help you choose the most appropriate treatment.

Alcohol, Drugs and Substance Misuse Policy - Learners

Page 8 of 9

Issue: 3

Issue Date: January 2022

Review Date: January 2023



If you do not want to talk to your GP and you would like further information about finding the right sort of help you may wish to contact an external organisation.

Drinkline, 03001231110 (weekdays 9am–8pm, weekends 11am–4pm)

Addaction, info@addaction.org.uk, 020 7251 5860

Alcoholics Anonymous Great Britain, help@aamail.org, 0800 9177 650

Alcohol Concern, contact@alcoholconcern.org.uk, 020 7928 7377

SMART Recovery, <https://www.smartrecovery.org.uk/>

Talk to Frank, 0300 123 6600

Narcotics Anonymous, 0300 999 1212 (10am – midnight)

Action on Addiction, 0300 330 0659

Addiction Helper, 020 3131 8338

UK National Drugs Helpline, 0800 77 6600

Alcohol, Drugs and Substance Misuse Policy - Learners

Page 9 of 9

Issue: 3

Issue Date: January 2022

Review Date: January 2023



Appendix 1

Drugs Log Sheet



Person Reporting the Incident		
Full Name:		
Job Title:		
Details of the Incident		
Date:		
Time:		
Location:		
Names of those involved in the incident:		
Suspicious substances/ items found:		
Witnesses to the Incident:	Full Name:	Signature:
Checklist:	<input type="checkbox"/> Place substance/ item in a plastic bag and seal <input type="checkbox"/> Label plastic bag with the following information: <input type="checkbox"/> Date <input type="checkbox"/> Location <input type="checkbox"/> Your Full Name <input type="checkbox"/> Store sealed plastic bag in the designated safe place <input type="checkbox"/> Seek advice from Police <input type="checkbox"/> Inform the Registrar	
Arrangements for the disposal of suspicious substance/ item:		
Actions taken in response to the incident:		