

Policies & Procedures



Drugs

Rationale

St Peter's Woodlands Grammar School recognises that because drug issues exist within the broader community, incidents involving drugs will also occur in schools. There is no place for illicit and unsanctioned drug use at St Peter's Woodlands Grammar School and, in keeping with national and state policy and associated research, the School takes a position of harm minimisation in relation to the management of suspected drug-related incidents.

The School is committed to maintaining a safe, secure and supportive environment for its community; to encouraging healthy lifestyle choices; to modelling appropriate attitudes and responsible behaviours in relation to the sanctioned use of legal drugs.

This policy is part of our Whole School Drug Strategy that includes a range of curriculum, policies and procedures and positive school environment initiatives. The School takes action to prevent drug use by students and to intervene if it occurs by taking a whole of school approach. The use, possession and/or distribution of illicit drugs and the unsanctioned use and distribution of drugs such as alcohol, tobacco and prescription drugs, are not accepted.

The goal of managing any suspected drug-related incident is to ensure the wellbeing and future educational careers of the student/s involved, as well as the wellbeing and educational careers of the whole student community and staff.

The School has a responsibility to ensure that the management of drug incidents is educative whereby students can learn from the consequences of poor decisions and inappropriate behaviour.

This policy is consistent with *Intervention matters: a policy statement and procedural framework for the management of suspected drug-related incidents in schools*, DECS, 2004, and this document is considered a primary resource for the managing of drug-related incidents at St Peter's Woodlands Grammar School.

This policy will apply to all activities sanctioned by the School whether or not they take place at the School i.e. on camps, excursions and other similar activities.

Definitions

In the context of this policy a drug is defined as 'any substance which, when taken into the body, alters its function physically and/or psychologically' (World Health Organisation, 1992) Illicit drugs are those drugs for which the production, sale, possession or use is prohibited.

Legal drugs are those drugs which are sanctioned by law. They may be readily available (like caffeine and petrol); restricted by age (like tobacco and alcohol); or prescribed for some by medical practitioners (like many pharmaceuticals).

Unsanctioned drugs are those drugs whose use is restricted by law, the School's authority and or the School's policies and guidelines. They include illicit, social and prescription drugs when misused.

Harm minimisation The harm minimisation approach assists schools and communities to go beyond punitive measures to drug issues and to develop integrated approaches that focus on policies and procedures to prevent and reduce drug-related harm. This approach is endorsed by state and federal governments. It does not mean not responding to suspected drug-related incidents; it means responding well.

The School's position on the use of alcohol and other legal drug use by school staff and/or parents

- Every staff member has a 'duty of care' towards every student under his or her supervision, by virtue of the conditions of employment and the common law principles of negligence.
- Parents who assume supervisory responsibility (for school authorised activities) also owe a duty of care to the students under their control. They are required to use their skills, knowledge and experience in a responsible manner.
- The consumption of alcohol is unsanctioned for any adult who is responsible for the supervision of students.
- Many medications have side-effects such as drowsiness or an increased heart rate. Occupational health and safety for self and others in their care should be paramount. Users should notify the relevant coordinator and remove themselves from any position of responsibility.
- Smoking of cigarettes and other tobacco products is unsanctioned anywhere on the premises of St Peter's Woodlands Grammar School or by supervisory adults at any other venue where school activities take place.
- The sale or consumption of alcohol at adult functions is sanctioned. However, the appropriate liquor licence must be obtained in relation to sales of liquor.
- The sale or consumption of alcohol in the presence of children at activities whose primary purpose is to educate or entertain children is unsanctioned.

Procedural Framework for the Management of Suspected Drug Related Incidents

The principles of natural justice and procedural fairness will apply in the management of suspected drug-related incidents. These principles are:

- The right of the student to be informed of the form of proceedings
- The right of the student to be represented by an advocate of choice
- The right of the student to know what is alleged
- The right of the student to be heard and to question evidence
- The right of the student to impartial adjudication
- The qualified right to privacy for the student
- The right of the student to appeal
- The right of the student to legal representation in instances of potentially very serious incidents involving illicit drugs and/or violent circumstances

Overview

Involvement with drugs, including illicit and unsanctioned drugs, means that school personnel have reason to believe that:

- Drugs have been or are being used
- Students are in possession of drugs or instruments used with drugs
- Students are present when drugs are being used by others

In the event of a suspected drug-related incident:

- The safety and wellbeing of students will be considered paramount: they may need to be treated as unwell in accordance with the School's First Aid and Medical protocols and/or emergency procedures.
- Parents will be contacted in instances of possession, use or distribution of illicit drugs and/or the illegal distribution of unsanctioned drugs.
- Consequences may vary and will depend on the nature of the situation, its potential for harm and the circumstances of the individual students involved. However, they could involve suspension or exclusion.

Follow-up support for student wellbeing will be implemented.

School procedures – see Appendix A

Appendix A: Managing suspected drug-related incidents

Overview

Incident	Student/s suspected of possessing, distributing or using a drug, including being drug affected.							
Initial procedures— all drugs	<p>Calmly but firmly intervene ensuring the safety and health of student/s and particularly utilising OHS&W principles in caring for yourself.</p> <ol style="list-style-type: none"> 1. Consider calling on additional staff. If intervening staff member is not a teacher, a teacher should be called to the scene. 2. Inform student/s of suspicion and seek their cooperation. 3. Make a first aid assessment (and if necessary seek medical support). 4. Note incident details—who, what, when, and where. 5. Safely, collect any suspected drugs and drug paraphernalia. 6. Escort student/s to principal and hand over with details of incident. 							
Principal/ delegate initial interview	<ol style="list-style-type: none"> 7. Continue to monitor student safety. 8. Secure evidence. 9. Make initial assessment of seriousness of incident. 10. Inform student of the form of proceedings and their rights. 11. Determine and contact participants as appropriate—student/s, parents/caregivers and procedural observer. 12. Ensure all participants understand proceedings and roles. 13. Interview student/s to collect and document facts about the incident. 14. Determine next level of involvement. 							
Assessment	15	Use/possession/ distribution of illegal substance or unidentified substance	15	Use/possession/ distribution of legal substance but illegal behaviour	15	Use/ possession/ distribution of legal substance but unsanctioned behaviour	15	No substance, no confession of drug use but unusual behaviour suggests drug use
	16	Suspend interview and contact police to investigate/ identify	16	May need to contact police for clarification or notification	16	Use professional judgment to determine if need to inform police	<ul style="list-style-type: none"> • Treat the student as being unwell according to the Health Support Planning guidelines. • Contact parents/caregivers to collect unwell student 	
	17. Make decisions about consequences, including educative, punitive and deterrent.							
Following actions	<ol style="list-style-type: none"> 1. Where necessary, organise and implement student development plans as a part of the consequence: <ul style="list-style-type: none"> • ongoing educational support • counselling • re-entry planning if student has been suspended. 2. Debrief staff and review school policy. 							

What?	How?	Why?
Keep calm	Keep calm in order to work through the procedures for managing the incident.	<p>OHS&W obligations Be conscious of safety especially if the incident involves a large group. Consider asking for another staff member of the same gender as the student if possible to support you in this intervention.</p> <p>Duty of care Ensure the student's health is satisfactory. If the student's condition appears critical (because s/he is unconscious, struggling to breathe, delirious, etc), do not move him/her but call an ambulance. Police attendance will only be automatic in the case of a fatal overdose or if ambulance officers are threatened with violence. For some students, drug use has been connected to a history of mental anguish and self-harm. Compassion and protection need to shape the form of intervention in such cases. Intervention into a suspected drug-related incident is necessary to protect students (whether participants or observers) from foreseeable harm.</p> <p>Health Support Planning Guidelines Any investigation of the incident may need to be suspended if the student's physical or mental state appears compromised. When no drug is present (but the student seems agitated, un-coordinated or dazed), school staff must treat the student as unwell, in line with first aid procedures.</p> <p>Duty of care A staff member with First Aid training continually supervises the student.</p> <p>Legal obligations, including OHS&W Keep accurate records because any written record about the incident can be subpoenaed. Police have the power to search students and their belongings, including bags and lockers. Principals can search when they are absolutely certain not doing so may put other students at risk, but it is recommended that principals leave searching to police if possible. Police may need information to substantiate a search.</p> <p>Natural justice A precisely recorded incident statement is a basis for providing a student with a clear description of what is suspected. Take measures to ensure that your written record contains an accurate summary of the intervening teacher's observations and interactions.</p>
Consider all staff	Decide whether to seek the support of another staff member before intervening. Teaching staff must be involved.	
Inform student/s	When you intervene, inform the students of your initial suspicions and your concern for their welfare. Seek their cooperation whenever possible.	
Ensure safety of student/s	Determine the need for First Aid, mental of student/s health support, or physical support. If they appear unwell, uncoordinated or in a daze, immediately follow first aid procedures. If they appear physically well and coherent, continue procedures.	
Get the facts and evidence	Ask the student/s about the identity and evidence of the possible drug and who appears to be involved. Obtain the substance and/or any related paraphernalia for handover to principal. Without evidence, don't make assumptions. Police are the most appropriate people to engage in searches for drugs.	
Keep students informed	Inform the student/s of the procedures to follow.	
Escort student to place of interview	Have the student/s wait under adult supervision in as private a place as possible. <i>Most commonly, school-based incidents are formally assessed in an appropriate schoolroom. On school camps, excursions or other school events off site, a judgment will need to be made about available facilities (or the feasibility of returning to school) to conduct interviews in privacy.</i>	
Hand over responsibility to principal or delegate	Inform the principal/ delegate of the suspected drug-related incident. Include who was involved, what you observed and when and where this occurred and your assessment of his/her state of health. Record this information —see example pro forma initial incident record in Appendix A.	

Initial procedures – all drugs

Principal/delegate initial interview—all drugs

What?	How?	Why?
Student safety	Continue to monitor health of student.	<p>Legal obligations Any suspected drug or related paraphernalia must be obtained and stored in a locked place which only the principal/delegate has access to, until handed over to the police. Utilise a witness to secure substance. (OHS&W)</p> <p>Natural justice It is best practice to utilise natural justice during this phase of the intervention. That is:</p> <ul style="list-style-type: none"> • the right to know the procedures • the right to know the allegation • the right to be heard • the right of the student to be represented by an advocate of their choice. <p>Including an adult advocate for the student (most commonly the student's carer if the student gives permission) will help to ensure the student understands the proceedings and the facts surrounding the alleged incident. Where there are several students involved in an incident, each student will need to be interviewed individually.</p> <p>Avoid blame or negative labelling—the object is to collect and document the facts in order to make a balanced decision about the appropriate courses of action.</p> <p>Legal obligations It is not within the jurisdiction of schools to investigate incidents (crimes) where illicit drugs are involved until the police have resolved their involvement; hence the obligation to engage police (see next page). If you are unsure about the legal status of a suspected drug, police support will be required.</p> <p>Student welfare The desired outcomes of this intervention are the continuing education, health and welfare of all students. Ensure the (qualified) right to privacy in an effort not to stigmatise a student.</p>
Principal receives and secures evidence	The principal/delegate receives any suspected drug and any drug-related paraphernalia and secures it, witnessed by a staff member.	
Initial assessment to determine further proceedings	Make an initial assessment of the potential seriousness of the incident in order to determine the level of subsequent procedures.	
Inform student/s and seek cooperation	Inform the student/s about the procedures they are about to experience. Seek their voluntary cooperation.	
Determine participants	Depending on the perceived seriousness of the incident, the negotiation of adult advocate and procedural observer may be warranted.	
Contact parents/caregivers	Contact the student's parents/caregivers and arrange with the student to include them if the student chooses, as an advocate in the proceedings. Students 18 years and older may choose not to have their parents informed.	
Involve procedural observer	If a procedural observer is to be utilised, it is recommended that they are an EO trained staff member. They will ensure the rules of procedural fairness are followed in the interview and record the proceedings and facts.	
Clarify purposes and understandings	Ensure the student and parents/caregivers understand: <ul style="list-style-type: none"> • the reason for the formal meeting and the possible outcomes • the role of each person in relation to <i>procedural fairness</i>, as well as how special needs will be accommodated if necessary. <p>In some circumstances, school personnel may need to allocate time for the student and carer to meet privately to discuss issues and return to the interview.</p>	
Review evidence and determine further action	Interview the student to formally ascertain and document the facts. Use the student interview record in Appendix A to document facts and observations. Initially ascertain: <ul style="list-style-type: none"> • the student's involvement in the incident • the student's confirmation or denial about the nature of the suspected drug. <p>In partnership with the student, parents/caregivers if present, and/or</p>	

	<p>advocate, review the evidence and determine if the student's behaviour is related to:</p> <ul style="list-style-type: none"> • illicit drugs • legal drugs but illegal or unsanctioned behaviour. Appendix F assists in determining the legal status of behaviour around drugs, drug paraphernalia, alcohol and cigarettes. <p>Where a student's unusual behaviour cannot be linked to any drug use, carry out the school's student health management procedures in consultation with parents/caregivers.</p>	
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What?	How?	Why?
<p>Drug identified as... Illicit drug</p>	<ul style="list-style-type: none"> • If confirmation is given that an illicit drug is involved, suspend the interview and call the police—all school investigations into the incident are put on hold until the police investigation is complete. • Whenever possible, police should interview students at home in the presence of a responsible adult. • If the police are called, inform the district director. • The police may determine the need to search students' and school property (or camp site, etc). • Depending on the circumstances, the police may <ul style="list-style-type: none"> – divert the student through the Police Drug Diversion Initiative – formally caution the student. • On being satisfied that the evidence demonstrates an illegal drug-related incident has occurred, a professional judgment about consequent actions to take is determined in partnership with the student and caregivers, with paramount concern for student welfare. 	<p>Legal obligations, including OHS&W</p> <ul style="list-style-type: none"> • Principals/delegates managing incidents must be aware of monitoring and caring for their own stress, safety and welfare during incident proceedings. • Only the police have the authority to investigate illegal drug incidents, and request laboratory testing to identify a suspected drug. • Police should be called if investigating legal or unsanctioned drug incidents (eg distributing prescription drugs). • The <i>Summary Offences Act</i> prescribes that police may not interview a child without a responsible adult present to represent the child. <p>Police Drug Diversion Initiative All students in possession of or using illicit drugs, including illegally possessing or using prescription drugs, will be diverted to assessment and counselling.</p>
<p>Legal drug but illegal or unsanctioned behaviour</p>	<p>If it is established that a legal drug has been used in an illegal manner, the principal/delegate may need to contact police for clarification of the level of police involvement required. District directors should be notified if police are to be involved.</p> <p>DECS policy dictates no smoking on school sites. Smoking at school, where no cigarettes have been distributed, is therefore legal but unsanctioned.</p>	<p>Procedures for Suspension, Exclusion and Expulsion (SEE)</p> <ul style="list-style-type: none"> • Disciplinary actions are determined for inappropriate behaviour(s), rather than for the drugs in the incident. • Disciplinary actions may include suspensions and exclusions (with notice in writing). • Disciplinary actions that include suspensions or exclusions are arranged in accordance with the SEE procedures in the School Discipline Policy.

Consequences	Consequences may be determined by applying natural justice principles, together with the school discipline policy. This may include the SEE procedures from the DECS School Discipline Policy. If cigarette dependency is an issue, teachers could suggest students contact the Quitline on 13 18 48.	<p>Student welfare Decision making processes necessitate <i>professional judgment</i> about the range of educational, welfare and disciplinary actions to take. Issues to influence decision making are:</p> <ul style="list-style-type: none"> • an abiding concern for the continuing education of the student (and of all students) • the good order and reputation of the school • maintaining the school as a safe environment. <p>If a student under the age of compulsion is suspended or excluded, the school is mandated to support their continuing education while they are off-site. This may mean organising for an alternative education provider during the period away from school.</p> <p>Natural justice Law and principles of natural justice dictate that the student should be informed of any decision and have the right to appeal if appropriate. If necessary, this may mean working with multicultural, refugee or Aboriginal support personnel or engaging interpreters. See support services at the end of this book for contact details.</p>
Drug not identified	If, by the end of the interview, the identity of a suspect drug has not been confirmed by a student, the police must be called to investigate.	
No drug found but unusual behaviour suggests drug use	Following Health Support Planning guidelines, students should be treated as unwell and parents should be contacted to collect them.	
Decision	Student informed of decision and any appeal/review process.	

Assessment to determine consequences

Following actions

What?	How?	Why?
Student development plan	<ul style="list-style-type: none"> • Appoint a member of staff to plan, monitor and facilitate a student development plan. • Student development plans can include: • suggesting counselling options, which may include a school support person as well as outside agencies • organising continuing education support • preparing school re-entry procedures. • Student development plans need also to include procedures which preserve the dignity of the student/s by respecting their privacy. 	<p>OHS&W Negotiate and reflect upon workloads in the process of managing incidents through the student development plan phase.</p> <p>Student welfare Student development plans are a significant example of how a school demonstrates its concern for students at risk.</p> <p>The student development plan may involve formal contact with community agencies, with the agreement of the student, eg DASC. However, schools have no authority to enforce student attendance at such agencies.</p>
Staff review	Following the resolution of a drug incident,	Privacy issues for excluded students

	<p>provide an opportunity with all staff to review the integrity of the school policy and organisation for handling such incidents effectively. Aspects of school policy that could be addressed include:</p> <ul style="list-style-type: none"> • harm minimisation and student welfare • the procedural values underpinning intervention practices • school/parents or caregivers/police partnerships • professional judgment in relation to educative and punitive determinations • student development planning principles, • planning and facilitation • inter-related aspects of the school's overall drug strategy. 	<p>are continuously of concern, particularly relating to student development planning at the point of re-entry. The principle concerns here are:</p> <ul style="list-style-type: none"> • the stigmatising of a student • the continuing reputation of the school as a protective institution. <p>Opportunity to reflect upon practice In relation to the events (not the students) surrounding the incident, a staff meeting is ideal for clarifying the integrity of school philosophy and operating procedures around intervention into suspected drug related incidents.</p>
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