

**Guidelines for the
Management of Drug-related
Incidents in Schools**

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Management of Drug-related
Incidents in Schools***

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Management of Drug-related Incidents in School

Background

Drugs present a serious problem to our society and from time to time Head Teachers will become aware of their presence within the school community. This document aims to provide guidance for staff in schools who may have to deal with drug-related incidents and to complement the Scottish Executive's publication *Guidelines for the Management of Incidents of Drug Misuse in School*

The City of Edinburgh Council Education Department expects these guidelines to be implemented in all schools to standardise practice and to ensure best practice.

These guidelines are the product of careful consultation with those agencies who form the membership of the Edinburgh Drug Action Team (EDAT): Social Work, Lothian Health, Lothian and Borders Police, coalition of drug agencies, the Scotland Drugs Forum, Housing Department and H M Prison, Edinburgh.

The main aims of the EDAT strategy are to implement a range of approaches to prevention, treatment and care, including pragmatic options in order to:

- reduce drug-related harm to the individual, his/her family, and the community
- ensure that available resources are used efficiently and effectively
- reduce the level of drug misuse in the area in the long term

These guidelines have been endorsed by EDAT and they will be reviewed in the light of new policies.

In this policy an illegal substance is one which comes within those categories in the Misuse of Drugs Act 1971 (see Appendix 3).

Any reference to parents in this document should be understood to include guardians or any person exercising parental responsibilities and rights in relation to a child, in terms of the Children (Scotland) Act 1995.

Support for Pupils

Schools are concerned with helping young people to learn effectively. They aim to assist all young people to progress in all aspects of their development – intellectually, socially and emotionally – and to develop knowledge, understanding and skills relevant to their stage of development and individual needs.

Consequently, schools aim to maximise the conditions which lead to effective learning, including offering support or access to support when young people encounter problems or situations which affect their learning.

Offering support is part of the role of every teacher, but there is a special role for the class teacher in the primary sector and for both the guidance teacher and the first line guidance tutor in the secondary sector, who have a special knowledge of and relationship with those young people in their care.

In relation to the prevention of drug misuse, all schools are concerned with general educative measures for pupils, parents and the community. The City of Edinburgh Council Education Department will work with and support our schools in order that each school will continue to:

- collaborate with other agencies
- be involved in the development of strategies for raising awareness among parents and the community about the nature of drugs and drug misuse in the City of Edinburgh, eg through parents' evenings and workshops
- ensure that all staff are appropriately trained to offer relevant support to young people and to deal with incidents related to drugs.
- ensure that young people actively engage in a structured Personal and Social Education Programme to assist them to develop the knowledge, understanding and skills which will enable them to make informed decisions relating to drug misuse
- use in-service training opportunities to maintain and develop effective drugs education through PSE programmes
- work with support agencies, involving them, where appropriate, in educational work with students and parents, and in supporting them through difficulties
- promote parent-teacher activities relevant to drugs education
- encourage pupils and parents to use relevant support agencies where appropriate and to inform them of how these services can be accessed
- ensure that staff understand their legal and educative responsibilities

Despite a school's supportive and educative programme there will be times when a school is faced with drug-related incidents involving young people. Such incidents are likely to be traumatic for the whole family and they may need support. Consequently, it is important that sufficient attention is given to a strategy for the potential support of pupils and parents concerned.

When decisions are made, eg about possible exclusion from school, specific consideration must also be given about the nature of the support to be offered. This will most commonly be by guidance staff in the secondary sector, and a designated member of senior management in the primary sector.

The school staff must aim to be helpful in directing the family to relevant support agencies, or in providing direct help to the family. Staff with specific counselling training and expertise must be involved where possible.

Dealing with a Drug-related Incident

Head Teachers may find themselves in the situation where young people are:

- in possession of an illegal substance in an educational establishment
- suspected of being in possession of an illegal substance in an educational establishment
- suspected of being involved in the supply of illegal substances to another, or other, pupils
- suspected of being under the influence of an illegal substance in an educational establishment
- suspected of being involved in a drug-related incident outside school premises which may affect good order and learning within the school
- or where a suspicious illegal substance is found on or near school premises and staff cannot identify the owner.

In these situations, the Education Department expects a Head Teacher to follow the policy.

How to Deal with a Drug-related Incident

Dealing Immediately with the Pupils

In the presence of a witness, an explanation of procedures must be given to the pupil(s) involved. The pupils shall be instructed by the Head Teacher/or designated members of staff to hand over the substance. If the pupil is reluctant to do this, the Head Teacher/or member of staff must explain that the request will be repeated in the presence of parents/guardians/police. NB School staff have no legal authority to search pupils and they **must not**, to do so they run the risk of being accused of assault. If a student is suspected of having illegal substances in their locker call the police and open the locker in the presence of the pupil when the police arrive. Opening a pupil's locker without their presence is ill advised but not illegal.

Keeping a Record

The Head Teacher or his/her designated member of staff must have the support of another member of staff to provide corroboration of any action. A written record must be made and included in the pupil's records for as long as any other matter which is indefinitely. This should not cause concern as there are limits to the access any third party has to a pupil's records and broadly speaking anyone who gains unrestricted access through legitimate means has a very good reasons for seeing a complete record.

Contacting the Police

Not all cases may be referred to the police; there may be circumstances which make instigating *Child Protection Guidelines* more suitable or referrals to the Pupil Support Group. However, if it is decided to contact the police, they should be informed as quickly as possible. The contact is the Control Room of the local police station:

B Division	662 5000	St Leonard's
C Division	229 2323	West End
D Division	554 9350	Leith

In reporting an incident, the police should be informed of the sex of the pupil(s) so that appropriate officers can be present. The police always regard a drug-related incident as a serious situation and will respond as quickly as possible.

Contacting the Education Department

The Education Department will offer assistance, support and advice to the Head Teacher and should, therefore, be informed as soon as possible. In the first instance the Neighbourhood Liaison Officer is the contact person, and in the case of Special Schools, the Special Schools and Social Inclusion Manager.

While Waiting

The pupil must be supervised during the waiting.

It is important that the pupil does not have the opportunity to destroy or pass on any evidence.

Every effort should be made to keep the pupil calm.

The legal position is that a teacher has a duty of care towards his/her pupils but this does not extend to putting their own welfare at risk.

Considering a Possible Exclusion

At all times there is a need to follow the Education Department's policy on Exclusion of Pupils.

If, as a result of investigation, and after consultation, the Head Teacher wishes to invoke an exclusion, then the parents must be informed.

If the decision to exclude is taken, this action must be communicated in writing immediately to parents.

Schools must treat each case on its merits. It does not necessarily follow that a pupil must be excluded for involvement in a drug-related incident. Each case should be considered in terms of its impact on the good order and discipline of the school. The supply of illegal drugs should always be treated as a much more serious offence. It is recommended that advice be sought from the appropriate Neighbourhood Liaison Officer or a senior officer from Pupil Support Services before a decision not to re-admit a pupil is taken.

Contacting Parents/Carers

Where the pupil is under the age of 16, parent(s) must be contacted immediately. They must be advised that the police will be informed that there has been a drug-related incident involving their son/daughter. The parents must be requested to come to school immediately and the time of the call must be noted. It should be remembered that pupils who are 16 years of age and over have different legal rights from those under 16. For example, they have the right to decide whether their parents should be informed or not in any interview with the police. It should also be remembered that the age of criminal responsibility, in Scotland, is 8 years of age. The police, however, have a legal right to interview a pupil whether under the age of 8 or above.

If parents/carers cannot be reached, the emergency number which the school normally holds for each pupil must be used and the time noted. If this is unsuccessful, a member of staff can represent the pupil.

If the pupil is looked after by the local authority and:

- living with carers, they must be informed and asked to come to school immediately
- resident in a Children's Home, the Officer in Charge or a member of his/her staff should be informed and asked to come to school immediately.

If a carer cannot be contacted or a member of staff from a Children's Home is not available, then contact must be made with the local Social Work office.

If parents arrive before police, they must be allowed access to their son/daughter. If the police arrive before the parents/guardians, they can be requested to wait until the parents/guardians arrive. It should be noted, however, that police do have the right to interview a child without parents present. In such cases it is reassuring for the child to have a member of staff in attendance.

Support for Parents

These incidents can be distressing for the whole family, and support may be required. The appropriate school staff should aim to be helpful in directing the family to various support agencies, or in providing direct help to the family. Advice can be requested from the school doctor who may offer direct contact with the young person and/or family.

Information about support agencies is to be found in Appendix 4.

Informing Other People

School Staff

Where relevant, the following staff of the school should be informed of the name of any pupil involved:

- the Senior Management Team
- in primary and special schools, the class teacher
- in secondary schools, the pupil's guidance teacher and first level guidance tutor (where there is one available)

Parents

It is not advisable to write to all parents in response to a specific incident. However, there may be instances where, depending upon the seriousness and extent of the incident, the Head Teacher may wish to consider, in consultation with the Education Department, whether a letter should be written to all parents explaining that:

- a drug-related incident has happened in the school
- that the school has followed the procedures established by the City of Edinburgh Council Education Department

The pupil(s) involved must not be named.

Responding to the Press

Communications Team

The Education Communications Team can provide you with additional support in managing your communications with staff, parents, colleagues in the Department, the media and others. Please inform the Communications Team if you feel the incident may attract the attention of the press and media or if you would like support in managing the wider communications. Any journalist calling the school should either be asked to leave their name, number and details of the publication they are working for so that someone can call them back by return or they should be referred direct to the Communications Team for assistance.

Key Aspects of an Effective Response

When Interviewing Pupils

Do

Ask factual questions about:

- which drug
- source
- quantity
- legal status
- who is at risk
- age of pupil

Act with a witness.

Supervise and respect rights to silence and reasonable privacy.

Operate within school rules and responsibilities for pupils.

Be prepared to receive drug-related equipment given by pupils.

Make clear the limits of confidentiality and refer the incident to the school's designated drugs coordinator if not the Head Teacher.

Record the facts on a standard pro-forma, store in a secure place and disclose only on a need to know basis.

Do Not

Ask leading questions

Interrogate

Accuse

Make assumptions about guilt

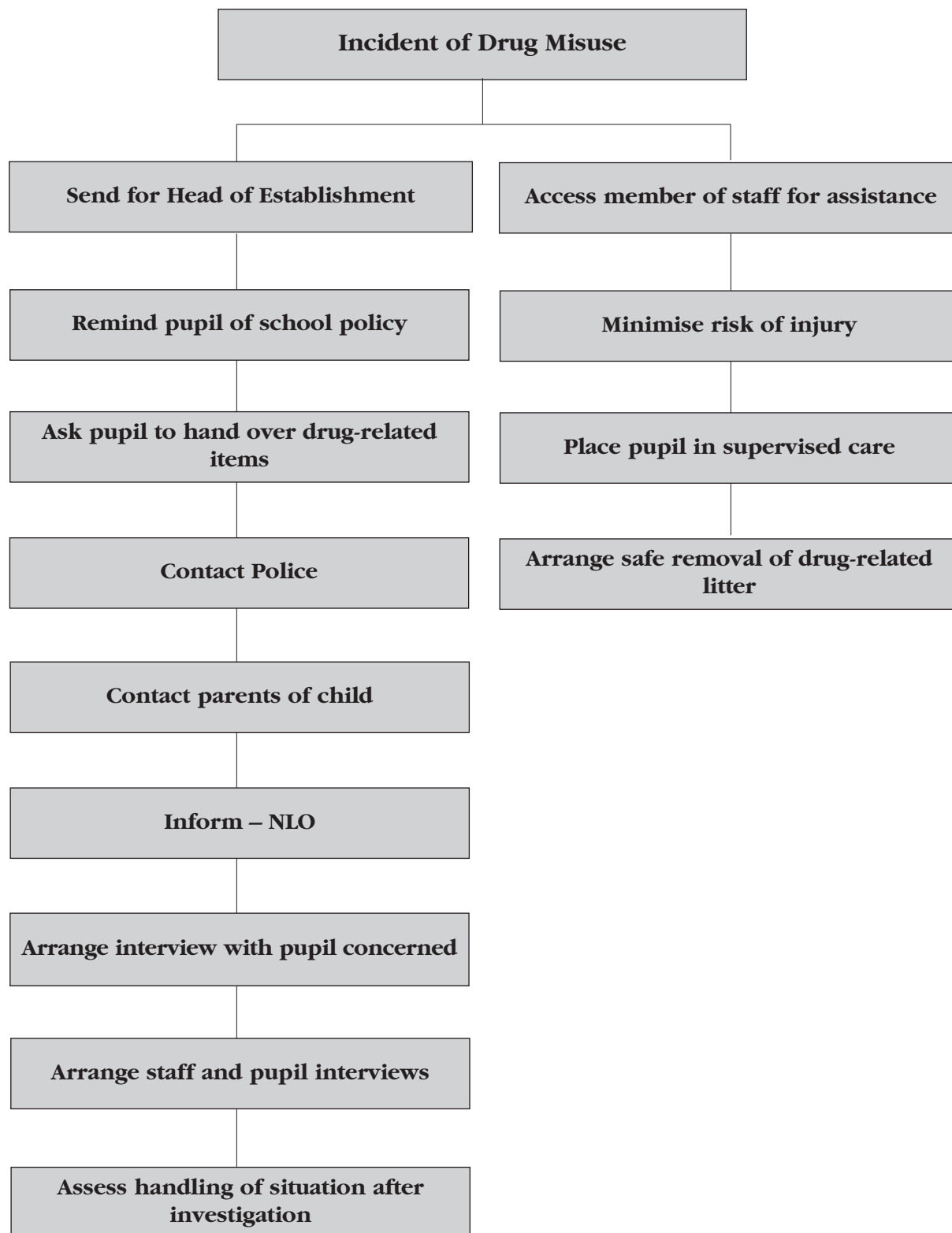
Detain a pupil in a locked room or without access to food or drink.

Remove or search personal belongings or conduct body searches (otherwise, this could be considered assault).

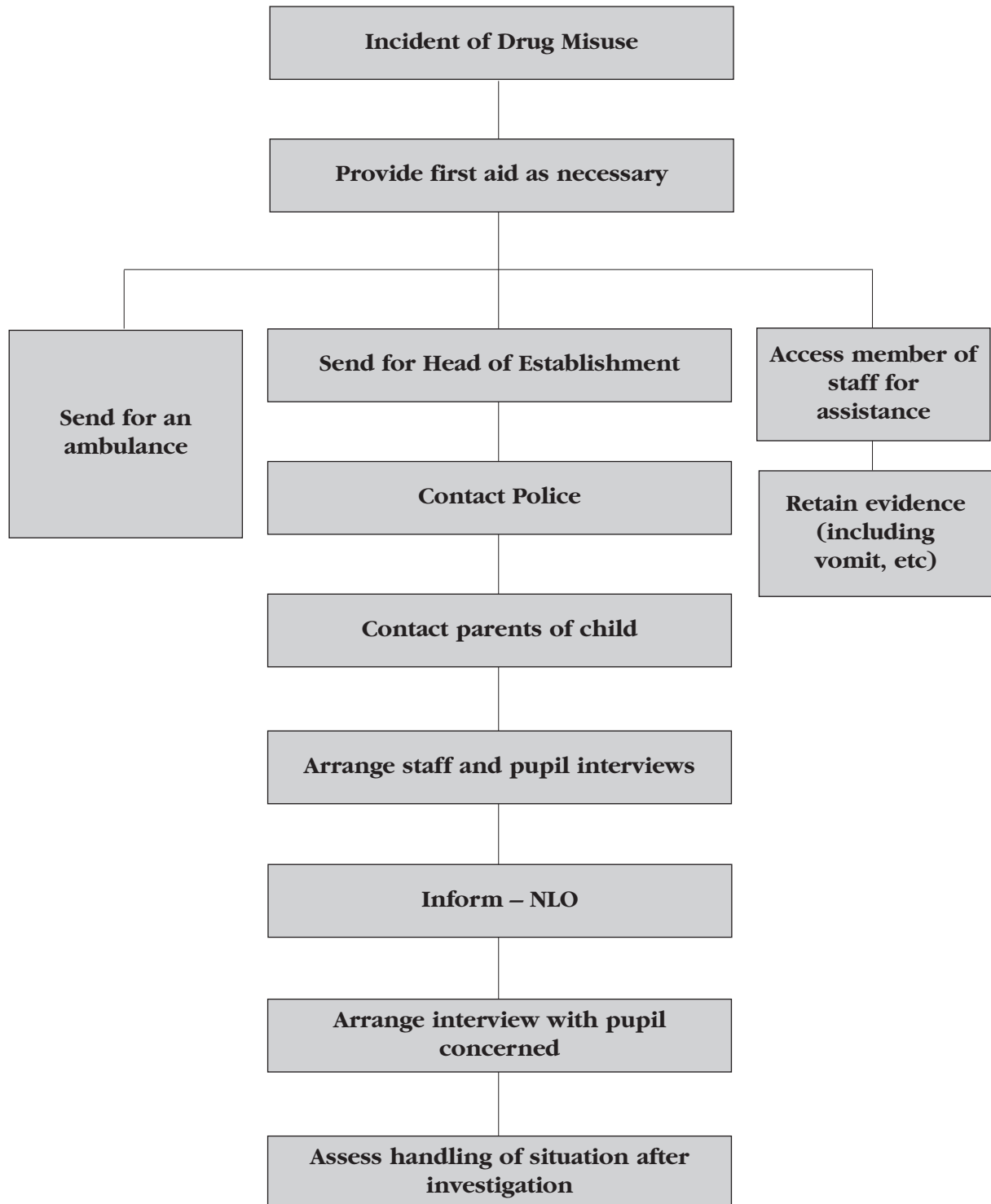
Pledge secrecy or keep drug incidents to yourself (you alone cannot have an overview of the situation and risk factors).

Rely on memory or general impressions – they may be inaccurate and make it more difficult for others to help/obtain evidence.

Procedures for Managing Incidents of Drug Misuse by Pupils (if medical help is not required)



Procedures for Managing Incidents of Drug Misuse in Schools (if medical help is required)



Appendix 1

Emergency Procedures for Heads of Educational Establishments and Education Department

The policy requires Heads of Establishments and other members of staff to discharge specific duties in such incidents.

It is recognised that there is a need, especially for small schools, to clarify roles, responsibilities and support mechanisms.

Such an incident requires immediate action.

Senior staff must be dedicated to the incident and their class responsibilities covered by colleagues.

As indicated in the policy, the Education Department must be contacted as soon as possible but certainly before:

- press statements are made
- exclusions are implemented

Officers will support Head Teachers in all aspects of implementation of this policy.

Appendix 2

Record of Drug-related Incidents

When incidents occur they must be recorded on this pro-forma and sent to Pupil Support Services.



School	
Date of Incident	
Pupil(s) Involved Male <input type="checkbox"/> Female <input type="checkbox"/> Age <input type="checkbox"/>	
Description of Incident	
<p>Contacted</p> <p>Lothian & Borders Police Education Department Parents(s) or Carer Social Worker</p>	<p>Time</p>

Record of Events		
Time	Details	
Signed	Witnessed By	
Title	Title	
Date	Date	

Appendix 3

Drugs and the Law

In school, there will be occasions where the implications of the law relating to drug misuse will be relevant. This section aims to resolve every-day situations and questions that may arise.

Legislation

The relevant Acts are:

- The Medicines Act (1968 and 1971)
- The Poisons Act 1972
- Drug Trafficking Offences Act 1986
- Misuse of Drugs Act 1971
- Cigarette Lighter Refill Safety Regulations 1999
- Solvent Abuse Scotland Act 1983

The Drug Trafficking Offences Act and the Misuse of Drugs Act are the main pieces of legislation covering what may be termed illegal drugs. They also cover drugs which may be used legally, but are commonly abused. The legislation classifies drugs by balancing their therapeutic use against their role of abuse and addiction, and then specifies offences common to the different classes of drugs.

The chart indicates the main offences and maximum penalties on indictment.

	Class A Drugs, eg LSD, Cocaine, Heroin	Class B Drugs, eg Cannabis, Amphetamines, Barbiturates	Class C Drugs, eg Benzodiazepines
Possession	7 years imprisonment or unlimited fine or both	5 years imprisonment or unlimited fine or both	2 years imprisonment or fine or both
Possession with intent to supply	life imprisonment and unlimited fine	14 years imprisonment and unlimited fine	5 years imprisonment
Supply/ Production	life imprisonment and unlimited fine	14 years imprisonment and unlimited fine	5 years imprisonment or unlimited fine

In reality penalties vary. It should be noted that these are the maximum penalties which would be applied in adult court.

The Children's Hearing System will deal with each case individually and make appropriate decisions with regard to the age of an individual, their involvement and the severity of a particular offence. The actual offences are listed below in more detail.

Unlawful Possession

It is unlawful to possess a controlled drug. This includes anything subject to a person's control which may be in the custody of another.

Possession with Intent to Supply

It is a more serious offence to unlawfully possess a controlled drug with the intent to supply it to another.

Unlawful Production

It is an offence to unlawfully produce or be concerned in the production of the manufacture, cultivation or any other method of any controlled drug.

Unlawful Supply

It is an offence to:

- unlawfully supply a controlled drug to another person, whether or not money changes hands
- be concerned in the supply of a controlled drug
- offer to supply a controlled drug
- be concerned in the making of an offer to supply a controlled drug (**supply** includes distribution)

Offer to Supply

Once the offer is made, the offence is complete. It is not necessary to prove that the substance is a controlled drug or that the person had the controlled drug in his possession at that time.

Being Concerned in the Supply

Concerned is taken in its widest sense – being involved in any way, for example, look-out, driver.

Controlled Drugs on Premises

It is an offence for the occupier or any person concerned in the management of any premises to knowingly permit or suffer:

- production or attempted production of a controlled drug
- unlawful supply or attempt to supply or offer to supply a controlled drug
- preparation of opium for smoking
- the smoking of cannabis, cannabis resin or prepared opium

Age of Criminal Responsibility

Under the age of 8: children under 8 are generally deemed not to be responsible for any criminal act, although specific circumstances may refute this presumption.

Age 8–16: children of this age are responsible and there is a presumption that they know what they are doing is wrong (eg they know that stealing is wrong). Although there may be other factors to consider, those cases would probably be sent to the Children’s Hearing system.

Age 16 and over: Young persons of this age are considered to be responsible for their actions and any prosecution will generally take place in the normal criminal court.

Substances other than Controlled Drugs

The chart gives details of what does and does not constitute an offence.

	Possession	Supply	Knowledge of Use	Knowledge of Supply
Tobacco	No	Yes, if sold to under-16s	No	No
Alcohol	No	Yes, if sold to under-18s unless with a meal	No	No
Solvents	No	Yes, if supplied for abuse	No	No
Prescribed Drugs Tranquillisers	No	Yes, if Class C	No	No

Drug Services in Edinburgh

Key to Services

YPS – Young People’s Services

CS – Carers Services

DA – Disabled Access

DI – Drop In Service

SS – Safer Sex Supplies

TA – Telephone Answering Machine

	YPS	CS	DA	DI	SS	TA
Castle Project	✓				✓	✓
First Base (YMCA)	✓	✓				✓
Simpson House	✓		✓	✓		✓
Crew 2000	✓		✓	✓	✓	
Fast Forward	✓					✓
Turning Point	✓	✓		✓	✓	✓
NEDAC	✓		✓	✓	✓	✓
West	✓			✓		✓
Solvent Abuse Clinic (appointments at home or at school can be arranged)						

General Information

Opening times and drop-in times may vary between organisations; please telephone for specific details. Services cover the whole city unless specifically stated. The philosophy and formality of services differ between organisations so ask for more information before deciding whether it is suitable or not.

The Castle Project

PO Box 22
Edinburgh EH16 4DU
Tel 0131 669 0068
Fax 0131 657 4676

Counselling, advice, support and practical help to drug users and their families, drop-in groups: education and training issues.

Area: South East Edinburgh.

First Base (YMCA)

142A Ferry Road
Edinburgh EH6 4NX
Tel. 0131 478 7124
Fax 0131 478 7129

Information, counselling, support and substance abuse prevention/education service for young people aged 13–20 years and their families.

Simpson House Drugs Counselling And Related Services

52 Queen Street
Edinburgh EH2 3NS
Tel 0131 225 6028/1054
Fax 0131 220 4446

Early Intervention Project for young people involved in substance misuse. The Early Intervention Project will accept referrals from young people using substances (drugs, alcohol or volatile substances) and their families. Referrals can be made also by Social Services, Schools, the Children's Hearing system and the police.

CREW 2000

32 Cockburn Street
Edinburgh EH1 1PB
Tel 0131 220 3404
Fax 0131 220 4446

Information and resources on harm-reduction and safer drug use, including multi-media web site with specific referrals to young people involved in the dance/recreational drug scene.

Fast Forward

4 Bernard Street
Edinburgh EH6 6PP
Tel 0131 554 4300
Fax 0131 554 4330

Promotes health education by and for young people on substance misuse. Provides information and develops resources for young people and their carers.

Turning Point

3 Smith's Place
Edinburgh EH6 8NT
Tel. 0131 554 7516
Fax 0131 555 4453

Counselling, advice, support, practical help to drug users and their families. Drop-in, group work, drug education and training.

NEDAC

10 Pennywell Court
Edinburgh EH4 4TZ
Tel 0131 332 2314
Fax 0131 332 2314

Information, advice and support for drug users, families and friends who are affected by drug/alcohol abuse, HIV/AIDS.

West

12a Dumbryden Road
Edinburgh EH14 2AB
Tel 0131 442 2465
Fax 0131 458 3440

Confidential information, advice, counselling and support to drug users, families and friends, education and training on all drug issues.

Solvent Abuse Clinic

Craigmillar Medical Centre
Edinburgh
Tel 07901 518221

A drop-in clinic and phone line 10am–1pm. This facility is suitable for helping young people of school age from Edinburgh and Midlothian.

Appendix 5A

Volatile Substances

A wide variety of products can be used. It is not possible to give a definitive list as fashions of use and brand names change. The three groupings that are listed provide a basic framework.

Pressurised Gases

Most aerosols and all containers of liquid fluid petroleum gas (gas lighter fuel in particular but also gas canisters for picnic stoves) that can be misused will carry warnings such as 'Flammable'; 'Do not puncture or incinerate'; 'Do not use near fire or flame'.

Highly Flammable Liquids

These products are usually in the form of liquids in metal containers or bottles. They will usually bear the words 'Highly Flammable'.

Non-Flammable Substances

These include adhesives, cleaning fluids, non-flammable paints and fire extinguishers. The following chemical ingredients are noted on them:

Trichloroethane: Dichloromethane: Methylene Chloride: Methylene Dichloride: Bromochlorodifluoromethane BCF (Halon).

In many cases the packaging will be marked 'Harmful' and display a black cross on an orange square.

Background

It should be noted that not all products that display these signs can be misused, but, if the circumstances are suspicious, they merit investigation.

Signs and Symptoms

Common signs and symptoms that suggest a young person may be using a volatile substance can include:

- unexplained empty and discarded aerosol and lighter gas containers
- the smell of glue on the breath (for 24 hours after sniffing glue)
- disappearance of volatile substances from the house
- the young person acting as if intoxicated without evidence of alcohol use
- unexplained moods, changes in appetite, altered sleep pattern
- truancy or lateness to school
- increased aggressiveness
- the presence of redness or spots around the nose and mouth (note: this may well be acne)
- performance decline or general disinterest in school work

First Aid for Incidents of Drug Misuse

In Cases of Emergency

In all cases, make sure there is sufficient fresh air. When possible, remove volatile substances. If the person is drowsy but able to communicate try to find out what has happened.

- What have they taken?
- How much?
- How long ago?
- How are they feeling?

If possible, keep the person active by encouraging them to talk or walk about. If not, place the person into the recovery position and call an ambulance.

The Recovery Position

This is the safest and most comfortable position for anyone who is unconscious. Placing someone in this position will ensure that the tongue cannot fall back into the throat and that any vomit can drain away freely.

- Lift the casualty's chin and tilt the head to open the air passage. Check the breathing and pulse rate. Assess the lack of response by speaking loudly close to the ear and pinching the back of the hand. Record your findings.
- Do not move the casualty unnecessarily.
- Place the casualty in the recovery position.
- If the casualty does not regain consciousness in three minutes, dial 999 for an ambulance. Record the casualty's breathing and pulse rate, and lack of response, every 10 minutes. Stay with the casualty until the ambulance arrives. Pass on your notes.

Appendix 6

A Pupil's Guide to the City of Edinburgh Council's Policy on Drug-related Incidents

What will happen if you are found in possession of or under the influence of drugs?

What will happen if you are thought to be concerned in the supply of illegal drugs?

Your school:

- will contact the police who may take further action
- will contact your parent(s)/guardians
- will take appropriate disciplinary action which may lead to suspension from school

What effects might being involved with drugs have on your future?

- It may damage your health.
- It may damage your relationships with family and friends.
- It may affect your performance at either school or work.
- It will be noted in your school record.
- It may restrict your choice of job or career.
- It may restrict your overseas travel.

References

Guidelines for the Management of Incidents of Drug Misuse in Schools (2000)

Safe School Trips: Scottish School Board Association, 1999, ISBN 1900673003

The School Pupil Records (Scotland) Regulations 1990, [1990 no 1551 (s.158) amended by 1994 No. 351]

The Schools General (Scotland) Regulations 1975, [1975 No. 1135 (s176)]

Tackling Drugs in Scotland, Action in Partnership, ISBN 0 7480 7293 4

The Facts of Drugs, A Parent's Guide, Health Education Board for Scotland

Drugfax Scottish Drugs Forum, ISBN 09519761 17

Child Protection Guidelines

The Protection of Young People in the Context of International Visits, (SOIED 1997)

Health and Safety at Work Act (1974)