

Drugs and Alcohol Policy



**Harper Adams
University**

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1. Introduction	2
2. The Legal Context.....	2
3. Management.....	3
4. Help and Advice	5
5. Education	6
6. Conclusion.....	6

1. Introduction

1.1

The University recognises that alcohol and drugs will play a part in the lives of some people. At its sole discretion, Harper Adams University may be sympathetic to problems arising from misuse of these substances whilst not condoning such misuse or illegal activity (see 1.3 below).

1.2

The University has a commitment to enhancing the health and safety and wellbeing of students and recognises the risks that may be caused by the misuse of alcohol, drugs and other substances.

1.3

The University in no way condones the misuse of drugs or alcohol, and will consider on a case by case basis, the balance between disciplinary action and appropriate support for students who misuse them.

1.4

The policy aims to facilitate the early identification of such problems and to encourage students to seek advice, help and assistance voluntarily before their studies or their health, or that of others, are adversely affected. The University will achieve these goals through educational, counselling and disciplinary approaches. Staff will provide guidance as to where professional assistance is available.

1.5

In this Code of Practice, "Student" shall mean any student studying or registered at the University and for the avoidance of doubt this shall include all postgraduate students registered with "writing up."

1.6

The Code shall also apply to graduands, alumni and visitors to the campus

2. The Legal Context

2.1

The law regulating dangerous and otherwise harmful drugs is the Misuse of Drugs Act 1971, which makes it clear that it is an offence for 'the occupier or someone concerned in the management of any premises knowingly to permit or suffer on those premises the smoking of cannabis; or the production, attempted production, supply, attempted supply, or offering to supply of any controlled drug'. It is also an offence for any person to have a controlled drug in their possession, with the exception of lawful authority and prescribed drugs.

2.2

The University's Student Disciplinary Policy states that "Possession of controlled drugs, or controlled prescribed drugs without a valid prescription, or psychoactive substances, with or without the intent to supply" is a matter of serious misconduct. The possession of paraphernalia linked to using

controlled drugs or controlled prescribed drugs without a valid prescription or psychoactive substances may also be considered as indicative of possession of such substances and may lead to further investigation and/or disciplinary action.

2.3

The Health and Safety at Work Act 1974 requires the University to do what is reasonable to protect the health and safety of staff, students and visitors. Drug and alcohol misuse can have an impact on the health and safety of an individual and also for others, for example students in shared accommodation or staff having to handle illegal substances and drug-related paraphernalia.

2.4

The University has a responsibility to uphold the law. Students [1] who contravene the legislation outlined above, will be subject to disciplinary action by the institution and this may include reporting incidents to the Police.

2.5

Graduands, alumni and visitors who contravene the legislation outlined above will be subject to referral to the Police and will not be permitted to return to the University premises

3. Management

3.1

A protocol will be developed between the University and the Police. The protocol will ensure that the correct procedure is followed when activities involving illegal substances occur on University property.

3.2

Where there is physical evidence of illegal substances having been used on campus, the Security and Portering Operations Officer and the Student Services Manager or appropriate nominees will be informed. Trained staff will then remove, record and store the evidence, including drug paraphernalia, for safekeeping. The University has a legal obligation, under the protocol, to report all such cases to the Police and to hand over any evidence, which has been seized. The Student Services Manager will also inform the Vice-Chancellor.

3.3

The Student Services Manager will consider with relevant staff and Police, where appropriate, the option of searching University premises. The decision will normally be made within 48 hours of notification of the incident. The Student Services Manager, or nominee, will inform the student(s) directly of any internal action to be taken. In bedrooms with joint occupancy, both parties will be informed and invited to be present.

3.4

The Security and Portering Operations Officer and the Student Services Manager or appropriate nominees have the power to search and/or swab University premises, including the bars and other social areas and individual student rooms and communal spaces, where there is reasonable

suspicion that illegal activities are taking or have taken place. Searching of, or swabbing in, communal areas will normally take place without prior notice being given.

3.4.1 Due to the intrusive nature of accommodation searches, these will be conducted with professionalism and in a way that respects the rights and dignity of the resident student(s).

3.4.2 Searches will be carried out by trained security staff, wearing body worn cameras, and in the presence of the Student Services Manager or nominee and the resident student(s).

3.4.3 If the student is not present the University still has the right to search and/or swab the room, if there is reasonable suspicion that illegal activities are taking place. The Student Services Manager, or nominee, will inform the student directly of any action to be taken.

3.4.4 A record of the search will be made and any seized articles, including paraphernalia, will be stored in accordance with section 3.2.

3.5

Where breaches of the University's Student Disciplinary Policy are suspected, an investigation will take place. Disciplinary action may be taken against students involved but where appropriate, the process may also be used to educate and support students alongside any agreed penalties. Interim disciplinary action may be taken against students whilst Police investigation is carried out.

3.6

The Student Services Manager, as Designated Premises Supervisor, or appropriate nominee, in agreement with Students' Union Management will arrange for announced and unannounced spot checks for drugs from time to time at the entrance to, and inside, the SU Bars and other social areas. The University reserves the right to operate drugs testing as a condition of entry to the SU Bars and other social areas or events.

3.7

Those persons seeking entry to the bar (or other social areas) or those already inside the premises at the point when a spot check takes place are expected to comply with the spot check by allowing their hands to be swabbed for drugs. Where an individual is requested to submit to a swab and:

Strong evidence of drug use is found, the student will be required to hand in any drugs to relevant staff, or submit to a search, immediately. If evidence is found and the student co-operates fully, section 1.3 and 3.2 of this code will apply. If however a student refuses to cooperate and/or to hand over any drugs in their possession, the police may be called to investigate the matter formally. In both instances the University will carry out an investigation and the student will be banned from social areas and events pending an outcome.

There is an indication of drug use or contact, the student will be required to leave the premises and will be banned for a period of 4 weeks (or other, at the discretion of the Student Services Manager and SU Management). Swabbing will be carried out as a condition of entry upon return.

Refuses to be tested for drugs, the student may be requested to submit to a search and will be required to leave the premises. Unless a reasonable explanation for failure to comply can be provided, to satisfy the University and Students' Union Management, the student(s) concerned will be banned from the bars for 4 weeks or other period, at the discretion of the Student Services Manager and SU Management. Swabbing will be carried out as a condition of entry upon return.

Has consecutive positive tests, section 1.3 of this code will apply and the University will carry out an investigation and the student will be banned from social areas pending an outcome.

In all cases where students who test positive are resident on campus, the University reserves the right to carry out a search and section 3.4 will apply.

3.8

Students should be aware that possession of illegal drugs normally leads to a formal caution as a minimum penalty, for a first offence. Students should note that a police caution is included on all police records, will be included in a Disclosure and Barring Service (DBS) report and may restrict future employment prospects, volunteering opportunities involving children and may prohibit travel overseas and similar activity.

3.9

It should be noted that Sniffer dogs and/or other police led checks may also take place at any time and in any place on the University campus, including the SU Bars or during any social/sports activities anywhere on campus. In such cases, the police will determine the follow-up actions to be taken rather than the University, the University may implement interim penalties until such time that investigations are complete.

3.10

Where students are living in University accommodation their residential agreement specifically prohibits the misuse of drugs on University premises. Students who fail to comply with the terms of the contract may be served with a 'notice to quit' and required to vacate the premises. Support to find alternative accommodation in the private sector will be provided by Student Services but any additional costs will be borne by the student.

4. Help and Advice

4.1

The University regards an individual's dependency on either drugs or alcohol as a serious health problem with consequences for assessments of fitness to study. If a student reports the matter to Student Services or their Senior Tutor and agrees a programme of rehabilitation then the University will allow reasonable absences for advice and/or treatment as 'sick leave' and will take this into account when assessing course work and exam results, provided the student has kept their Course

Manager/Senior Tutor informed of their progress and it is clear that they are attempting to resolve any difficulties they may have. Students must provide confirmation from the Mental Health and Wellbeing team, their GP or an external agency if appropriate to confirm their attendance and progress. Confidentiality will be respected.

4.2

For those wishing to discuss problems related to the use of drugs or alcohol, advice is available from Student Services, Mental Health and Wellbeing staff and the Students' Union. If a student believes that someone has difficulty in controlling their use of alcohol or drugs they should encourage them to seek support. If they are concerned that they are a danger to themselves or others it is recommended that a senior member of staff be informed, for example the Student Services Manager or Senior Tutor. Support can also be provided by the local GP practice, Linden Hall Surgery who will make referrals to local support units, clinics or groups. Further details of support available can be found on the government website www.drinkaware.co.uk and www.talktofrank.com

4.3

Staff will not provide direct advice on substance misuse but will provide guidance as to where professional assistance is available and students will be supported through this process. Additional support may be offered, where appropriate, by the Counsellor or Mental Health Adviser.

5. Education

5.1

The University and Students' Union will endeavour to increase awareness and understanding of drug and alcohol related issues in a number of ways, namely:

5.1.1 Publicity material to raise student awareness e.g. posters and leaflets.

5.1.2 Training will be provided to relevant staff and Student Wardens.

5.1.3 By incorporating drugs and alcohol awareness sessions into student induction programmes.

6. Conclusion

6.1

The University has responsibilities to its students and staff and recognises the importance of providing a safe place to work and study.

6.2

The University will ensure that appropriate support and advice is available to students but may also, at its discretion, take disciplinary action for acts of misconduct and where illegal activities are taking place, particularly when they endanger the individual student or other members of the University.