



**MOUNT  
KELLY**

Boarding and Day School  
Boys and Girls, Aged 4-18

# Drugs, Alcohol and Nicotine Misuse Policy

**Reviewed** September 2024  
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**Owner** Senior Deputy Head

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## 1. Introduction

Mount Kelly does not tolerate the use of illegal drugs, the misuse of alcohol or the illegal supply of these substances by members of the School. Mount Kelly is committed to the health and safety of its members and will take action to safeguard their wellbeing. As a consequence of this, the School is strongly committed to educating its pupils about the health risks associated with drinking alcohol, smoking, vaping and drug use. We are committed to promoting a healthy, safe environment at Mount Kelly, in which good citizenship and respect for the law can flourish. We believe that it is important to deliver a clear, consistent moral framework that promotes the integrity of our community.

Mount Kelly acknowledges the importance of its pastoral role in the welfare of young people through formal education and the School's general ethos; it will seek to provide the support pupils need to avoid the problems of substance abuse.

In formulating this policy, due regard has been given to the 'DfE and APCO drug advice for schools (September 2012)' and 'Searching, screening and confiscation guidance' (DfE January 2018).

This policy should be read in conjunction with the Promoting Good Behaviour Policy, the Anti-Doping Policy and the Exclusions Policy.

## 2. Aim

The School believes and supports the following educational aims in respect of drugs and substance use and misuse:

1. To enable pupils to make healthy and informed choices by increasing knowledge, challenging attitudes and developing and practicing decision-making skills.
2. To provide accurate information about substances.
3. To increase understanding about the implications and possible consequences of use and misuse.
4. To widen understanding about related health and social issues.
5. To enable young people to identify sources of appropriate personal support.

These aims are fulfilled through a programme of education arranged through the established curriculum, through the PSHE syllabus and through specially invited external speakers. The programme involves pupils of all ages and continues throughout their time at the School. Our Health and Wellbeing Team also plays an active role in promoting greater awareness about the risks involved and will offer informed medical advice.

Pupils can discuss their individual worries with their Tutor, Housemaster/mistress or any other member of staff, including their matron, if they are boarders. They can also refer themselves to the Health and Wellbeing Team for individual guidance. We also invite parents and guardians to information evenings and are very conscious of the importance of working together in order to promote the wellbeing of all pupils.

The School actively cooperates with other agencies such as the Police and Children's Services to deliver its commitment to drugs education and to deal with incidents of substance use and misuse.

The policy will be reviewed annually and in the light of any drug-related incident.

## 2.1 Parental Signature

Prior to a child's admission to the School, all parents are required to read the Terms and Conditions and sign the Acceptance Form. In doing so parents acknowledge the requirements of this policy, as highlighted in Sections 6 and 7 of the Terms and Conditions.

Sanctions are always at the discretion of the Head Master, Senior Deputy Head and Head of Prep. Appeals against sanctions, or the manner in which a matter has been handled, are outlined in the School's Complaints Procedure and the Exclusions Policy.

## 2.2 Specific policy and the management of incidents

Under the Education and Inspections Act 2006, schools have a statutory power 'to such extent as is reasonable' to regulate pupils' behaviour when off-site and not under the supervision of staff. All parents are strongly advised that the School may invoke on-site sanctions if incidents involving nicotine products, alcohol or drugs occur off-site. Careful management and supervision of parties is especially important.

School trips are considered to be on-site activities.

Please note that day pupils who are with boarders on the school site can expect to receive the same or equivalent sanctions as boarders.

## 3. Pastoral Support

The School encourages pupils to discuss with a member of staff any anxieties they may have about the use of alcohol, drugs, tobacco, vapes or e-cigarettes. Matters brought into counselling by a pupil or his/her parents, in circumstances which are genuine, will be "ring-fenced" from disciplinary sanctions or adverse report, but a pupil who is suspected of unacceptable involvement with drugs, alcohol, tobacco or vaping outside this context will face disciplinary action.

Pupils who believe they have a dependency on alcohol, drugs, tobacco, vaping or any other cigarette substitute or nicotine product, and who in good faith seek the support of the School in breaking this habit, will not be subject to the same level of disciplinary action.

## 4. Alcohol

### 4.1 Alcohol consumption on School premises

The School is committed to the health and safety of its pupils and members of the community and will take appropriate action to safeguard their well-being with regards to the consumption of alcohol:

- No pupil of any age is allowed to bring alcohol, or low and no-alcohol drinks, into School, nor are they permitted to consume alcohol or low and no-alcohol drinks on school property or during school hours. For the purposes of the boarders, school hours are any time during term-time.
- Sixth Form pupils aged 16 and above may, on occasions organised by the School and attended by staff, consume a small quantity of wine, beer or cider, within the terms of the School's alcohol license. **No drinks of any type containing spirits may be consumed.**

- The School may offer wine, beer or cider to parents and other adult guests at certain formal events, including plays, dinners, concerts and exhibitions, to which they are invited. Year 12 and Year 13 pupils may be offered a small quantity of wine, beer or cider at such events. Pupils in younger years are not permitted to drink on these occasions. Soft drinks are always available at such events.

#### **4.2 Alcohol consumption out of School**

Pupils who consume alcohol in town or at another pupil's home, and who return in a clearly inebriated state, will face a sanction commensurate with the degree of inebriation.

Sixth Formers on school trips, tours and visits may consume a modest quantity of alcohol on licensed premises, in accordance with the law, with the written permission of their parents and the member of staff accompanying the trip.

#### **4.3 Procedures for dealing with alcohol related events**

If any member of the staff (academic or support) has suspicions of alcohol misuse they must follow the procedures below.

#### **4.4 Rumour of involvement with alcohol**

If a member of staff should hear that a pupil or pupils are involved in alcohol-related activities they should inform the pupil's Housemaster/mistress. The Housemaster/mistress will decide what action is most appropriate. It is essential that no precipitous action is taken which might compromise an investigation, however well intentioned.

Such rumours are to be reported immediately to the Senior Deputy Head or Head of Prep.

#### **4.5 Dealing with pupils who appear to be under the influence of alcohol**

- The initial priority is the well-being of the pupil. Disciplinary action will come later. If the pupil is totally incapacitated the member of staff should make sure the pupil is safely laid on his/her side so that any vomit is not inhaled, and assistance should be sought.
- Any subsequent action taken will be dependent on the pupil's state of intoxication. Staff are to use their good judgement.
- If the pupil appears to be intoxicated to some degree but is able to walk, he/she should be escorted to his/her House and placed in the care of the House Staff.
- The Senior Deputy Head or Head of Prep should be informed at the very earliest opportunity and they agree a course of action.

#### **4.6 Testing for alcohol**

- If a Housemaster/mistress or any other member of staff considers it likely that a pupil has consumed alcohol in breach of the School rules the pupil should be challenged directly.
- In the event that a pupil denies consuming alcohol, but there is reasonable cause to suspect otherwise (smell, behaviour, coherence and so on) then it might be suggested to the pupil that an alcohol test be conducted.
- The relevant consent to a breath test is that of the pupil rather than the parents, even if the pupil is under 16 years of age, provided that he/she is of sufficient maturity and understanding

and gives verbal consent. Parents will normally be notified only if the breath test has proved positive.

A record will be kept when a pupil is asked to take a test and its outcome will also be recorded.

#### **4.7 Sanctions for Alcohol**

All alcohol offences will be reported to the Senior Deputy Head, the Head Master and to parents.

Evidence of alcohol consumption, except in the permitted circumstances set out above, or excessive alcohol consumption in all circumstances will lead to sanction. For guidance, lower-level alcohol offences would be considered to be possession of beer or being caught in a pub underage. This is likely to lead to a Saturday morning Head Master's Detention.

After a further offence a pupil may be referred to the School Nurse/Doctor for support, or an outside agency (at the parents' expense), where we have reason to believe that they have an issue with alcohol, for example.

Repeated offences are likely to lead to suspension or permanent exclusion.

If an older pupil is found to have provided or purchased alcohol for a younger pupil, it is likely that the older pupil will be suspended or could face permanent exclusion.

Offences involving spirits will normally attract a greater disciplinary reaction. Persuading other pupils to drink spirits is regarded as serious. Should a pupil become ill or incapacitated due to drinking alcohol, they should expect a serious sanction at the level of Head Master's Detention or above. In all cases where a pupil has been drinking, the School reserves the right to telephone parents or guardians and insist that their child is collected from school immediately.

In the case of any incident involving the sale of alcohol to under-age pupils, the School will contact the manager of the establishment involved and the Police may be informed

Housemasters/mistresses reserve the right to use a breathalyser at their discretion, in the interests of the pupils' welfare and the good order of the wider community.

Consistent with the broader principles of the School's Promoting Good Behaviour Policy, at the discretion of the Senior Deputy Head, Head Master, Head of Prep and Deputy Head Pastoral (Prep), pupils will be asked to attend a meeting with the School Nurse to discuss the dangers of excessive alcohol consumption.

The cost of care for pupils who require additional attention as a result of intoxication, and the cost of cleaning required as a result of intoxication, will be added to the parent's school account.

## **5. Tobacco, vaping and other smoking related products**

It is the School's policy that smoking, vaping and the possession of smoking or vaping materials are forbidden on school premises. This includes, but is not restricted to, cigarettes, tobacco, cigars, cigarette papers, e-cigarettes, personal vaporisers (vapes) and electronic nicotine delivery systems.

All smoking incidents will be reported to a pupil's Housemaster/mistress and tutor and parents will normally be informed at the earliest opportunity. All offences will be reported to the Senior Deputy Head.

The School will always contact the manager of any establishment found to be active in selling tobacco, vapes or other smoking-related products to under-age pupils and the Police may also be informed.

All members of staff are reminded that smoking is banned across the site both inside and outside buildings. It is also expected that staff should refrain from smoking in the presence of pupils at any time.

### **5.1 Procedures for dealing with smoking or vaping related incidents**

If any member of the staff has suspicions that a pupil has been in contravention of the School Rules regarding smoking or vaping they must follow the procedures below.

### **5.2 Rumour of involvement with smoking or vaping**

If a member of staff should hear that a pupil or pupils are involved in smoking they should inform the pupil's Housemaster/mistress. The Housemaster/mistress will decide what action is most appropriate. It is essential that no precipitous action is taken which might compromise an investigation, however well-intentioned.

### **5.3 Dealing with pupils who are, or have clearly been, smoking or vaping**

The Senior Deputy Head should be informed immediately and they, along with the Housemaster/mistress and School Nurse will confer and agree a course of action.

### **5.4 Sanctions for the use of tobacco, e-cigarettes or vaping products**

Sanctions will be in line with the School's Promoting Good Behaviour Policies and Exclusions Policy (as appropriate). A first offence is likely to lead to a Head Master's Detention. More serious punishments could ensue if a pupil is caught smoking in town and thereby bringing the School into disrepute. Thereafter consultation with parents in conjunction with restriction of privileges will be considered.

A pupil may be referred for a session of counselling with the School Nurse where we have reason to believe that they have issues with nicotine addiction, for example, when there are repeated infringements. Continued abuse of the smoking rule may result in suspension.

Pupils who procure tobacco, e-cigarettes or vaping equipment for consumption by other pupils are likely to face more serious sanction, and are likely to be suspended. This is particularly the case for older pupils who encourage or facilitate smoking or vaping by younger pupils.

Smoking indoors presents a particular hazard which endangers all members of the community. Pupils who are caught smoking, or are known to have been smoking indoors, are likely to be suspended.

## 6. Drugs

It is the School's policy that taking, possessing or supplying drugs is forbidden.

The definition of a drug used by the then DfES in 'Drugs guidance for Schools' is: '*A drug is a substance people take to change the way they feel, think or behave*'.

This includes:

- Drugs which are controlled/illegal substances (for example cannabis, amphetamines, ecstasy, LSD and mephedrone) under the Misuse of Drugs Act 1971. Also, so-called legal or herbal highs which are considered illegal under current medicines legislation to sell, supply or advertise for 'human consumption'.
- Over-the-counter and prescription medicines used improperly, which can include sleeping tablets and slimming tablets.
- All legal drugs when misused including volatile substances and solvents, Ketamine, alkyl nitrites.
- Drugs which are misused to enhance performance (for example analgesics or steroids).
- Any non-regulated performance enhancing supplements or substances, including SARMS.

The Head Master reserves the right to react to the emergence of new substances and changing circumstances as they occur, based on the DfE definition of a drug above.

We are committed to promoting a healthy, safe environment at Mount Kelly, in which good citizenship and respect for the law can flourish. We believe that it is important to deliver a clear, consistent moral framework that promotes the integrity of our community and gives all of our pupils the understanding and self-confidence to reject drugs and substances. Any member of staff or parent concerned that a pupil might be involved in drug abuse should inform the Senior Deputy Head who will then liaise with the relevant staff.

The School will investigate an allegation or allegations about a pupil's involvement with drugs and substances, including when the allegation takes the form of a rumour. An investigation is designed to satisfy the School that there is, or is not, truth in the allegation or rumour, and thereby correct the behavior of the guilty and protect the reputation of the innocent.

An investigation will involve speaking with the accused pupil and other pupils, as appropriate. An investigation is also likely to involve searching a pupil's possessions.

When the facts of an investigation have been established, the School will inform the parents or guardian of the pupil as quickly as reasonably possible, outlining the possible next steps in the process.

## 7. Drug Testing

The Governors have agreed a contract with a clause making it a condition of admission to the School that parents of pupils accept this policy and the School's right to require a pupil to undergo a test for the use of drugs or other substances damaging to health, where there are reasonable grounds for suspicion. Drug testing is authorised by the Head Master, Senior Deputy Head or Head of Prep who appoint the School Nurse to conduct the test. In the absence of the School Nurse, an appropriately trained member of staff will conduct the test.



A test will only be required following consultation between the investigating staff, the pupil's Housemaster/mistress, the Senior Deputy Head and the Head Master.

Reasonable endeavours will be made before a drugs test is conducted to notify parents and guardians of the requirement for a drugs test and the reasons for that requirement.

If for any reason a parent cannot be contacted, this will not prevent the test from taking place.

If a parent asks to be present during the test they may do so. However, they must be able to attend the test at the time the school stipulates.

### **7.1. Drugs Testing Procedure**

The Drugs Testing Procedure is designed to be constructive, where possible, and to support those pupils most at risk of drug taking, to dispel ill-founded suspicion of drug taking and to act as a general and efficient deterrent. This policy allows the School to exercise clemency where it is merited, and give support and advice to those who need it. It aims to encourage honesty and in certain circumstances to allow a pupil to recognise that he or she has made a serious mistake and to strive to make amends for it within Mount Kelly. However, there will be occasions, set out below, when punitive sanctions are appropriate.

The testing procedure follows two stages:

- a) Urine screening whereby two samples are collected at a time. One sample will be tested immediately which will allow a drug-testing result within minutes.
- b) If the test gives a non-negative result a sample can be sent to a laboratory for further testing and analysis to confirm the result. Negative tests will not be sent to a laboratory.

### **7.2. Definitions:**

**Negative test:** indicates that drug use is not evident within the test sample.

**Non-Negative test:** indicates that drug use is evident within the test sample.

**Positive test:** where the evidence of drug use found in the non-negative test is confirmed by a laboratory test.

- Testing procedures will be in accordance with standard good practice.
- Confidentiality: records of the testing will be retained on the pupil's file until such time as the file is destroyed in accordance with appropriate data retention guidelines.
- The test will be carried out under the supervision of the School Nurse or another appropriately trained member of staff. The person carrying out the test will always be accompanied by another member of staff to act as an independent witness and as a support for the pupil.
- The written consent of the pupil will be obtained before the test is conducted. If a pupil refuses to give consent to be tested, they will be asked to say why they have refused. It will be made clear to them that refusal means the School is entitled to draw inferences from their response, and the Police may be informed.
- Any samples collected for the purposes of drug testing will be collected using recognised chain-of-custody procedures to ensure that samples are genuine and not interfered with in any way. All testing staff are trained in this.

- The Head Master will normally consult the Police about the possession, consumption or supply of an illegal drug, since it may constitute a criminal offence.
- The School will regularly review and update the range of tests used.
- The testing will be done at the School's expense. If further tests are required, either at the parents' request or if the School deems it appropriate, then costs are likely to be met by the parents.
- Notifying parents: reasonable endeavours will be made, before a drugs test is conducted, to notify a parent, guardian or education guardian of the requirement for a drugs test and the reasons for that requirement.

### **7.3. Subsequent action**

The School will treat a non-negative test as evidence that the pupil has been using drugs. A meeting will be arranged at which:

- In line with the School's Exclusions Policy, the pupil will be asked to attend a disciplinary meeting with the Head Master along with their parents or guardian. The pupil's Tutor / Housemaster / mistress or other appropriate staff member may also be present (if the pupil wishes) along with the Senior Deputy Head and any other senior member of staff who has been involved in the investigation.
- The evidence of the non-negative sample and all other relevant evidence will be put to the pupil and they will be invited to respond.
- The pupil's response will be heard and considered.
- The Head Master will make a finding of fact based on the evidence and supported by reasons.
- **Sanction:** if the Head Master's decision is that the pupil has been using drugs, the Head Master will outline the range of sanctions he is considering. The Head Master will take into account the pupil's disciplinary record before deciding on the sanction.
- **Review:** if the pupil is permanently excluded, they and their parents may appeal this decision in line with the School's Exclusions Policy. Their suspension will be continued in the interim.

### **7.4. Supportive regime agreement**

The Head Master may, as part of a disciplinary contract, insist that a pupil who is guilty of drug use, but who is allowed to remain in the School, is subject to a 'supportive regime'. A 'supportive regime' asks the pupil to agree to a contract whereby they undertake to avoid drugs in the future and agree that they can be drugs tested at any time. See Appendix 1.

### **7.5. Changes in the procedure**

It may be necessary to change the testing procedure from time to time. Any changes shall be authorised only by the Head Master and shall come into force on the date designated by him (which may be immediate). Significant amendments to the procedure will be published as soon as is practical.

## **7.6. Sanctions for the use of drugs:**

- i. Any pupil selling or distributing drugs will be permanently excluded.
- ii. Any pupil found in possession of or consuming drugs while under the School's jurisdiction in term time loses any right to membership of the School and must expect permanent exclusion to be a very strong possibility.
  - a. In some cases, there may be mitigating circumstances; if so, they will be carefully considered.
  - b. The Head Master will normally consult the Police about the possession, consumption or supply of an illegal drug, since it might constitute a criminal offence.
- iii. If the only firm evidence that a pupil has been involved with drugs is a non-negative drugs test, then it is proven that the pupil has been using drugs. However, they may be allowed to stay in School provided that they:
  - a. Give a written assurance to the Head Master and to their parents that they will not become involved with drugs again.
  - b. Agree to undergo drugs tests at various times during their remaining school career.
  - c. Agree to take part in drug counselling if the School so requires. If this is conducted outside the services offered by the NHS it will be at the parents' expense.

The same undertakings will also be required of any pupil who may be allowed back after an offence (see ii above) because of mitigating circumstances.

- iv. The scope of the School's discipline reaches to the point where there is a transfer of responsibility from School to parent. However, where it becomes known that drugs abuse is taking place outside School, then the School is then in possession of information relating to behaviour which could be deemed to be criminal and may thus:
  - a. inform parents of the nature of what is being said;
  - b. ask that there should be drug counselling;
  - c. require that the pupil be drug tested in the future;
  - d. talk to the local police about the matter.
- v. In the event of the School's reputation being brought into disrepute it will be the School's qualified right to invoke its full disciplinary procedures.
- vi. Any subsequent drugs abuse, including a non-negative (positive) test result, will result in permanent exclusion. Semantic debate about drugs taken in the holidays or at weekends will not be conducted.
- vii. Solvent abuse and the use of so-called 'legal highs' is also a serious school offence. The School may react to this in a similar way to other forms of drug abuse.

## Appendix 1: Supportive regime

|   |  |
|---|--|
| Full name of pupil  |  |
| Date  |  |
| Pupil's date of birth   |  |
| Age now   |  |
| <p>I have made a voluntary admission of having used a drug or substance in breach of the School's policy and disciplinary rules.</p> <p>As an alternative to permanent exclusion, the Head Master has offered me a supportive regime under which:</p> <p>For the remainder of this term and for a period agreed by the Head Master, without obligation on the part of the School, I may at any time be asked to undertake a drugs test for analysis in accordance with the procedures described in the attached policy which I have read and understood.</p> <p>I understand that I may be asked to undertake a drugs test at any reasonable time even though no grounds exist at that time to suspect that I have been involved with drugs or substances.</p> <p>I agree to be subject to this regime and to co-operate with the School in every respect. I understand that the School will take all reasonable care to preserve my confidentiality and human rights in the operation of this regime.</p> <p>I also understand that if without good reason I fail to co-operate with this regime or if a test proves positive, I would almost certainly be required to leave the School.</p> |  |
| Signed  |  |

### Declaration of parents / guardian / education guardian

I / We the undersigned have read the School's Drugs Testing Policy, and this Appendix. For my/ our part, I / we accept the Head Master's offer of a supportive regime for the above-named pupil, as described above.

I / We undertake to co-operate with the regime in all respects and to pay the costs associated with each test.

|                              |                              |
|------------------------------|------------------------------|
| <b>Signed</b>                | <b>Signed</b>                |
| <b>Full name</b>             | <b>Full name</b>             |
| <b>Relationship to pupil</b> | <b>Relationship to pupil</b> |
| <b>Date</b>                  | <b>Date</b>                  |