

BOOKLET 1

INTRODUCTION

This document sets out Aberdeenshire Council policy and guidelines in relation to substance misuse, should an incident occur within Education, Learning and Leisure (EL&L) establishments. The policy and guidelines apply to all Aberdeenshire EL&L personnel. It outlines the steps to be taken and the relevant roles and responsibilities of staff.

1. Background

Aberdeenshire Alcohol and Drug Partnership (ADP) oversees the implementation of national strategy at a local level (Routes to Recovery: Aberdeenshire's strategy for Alcohol and Other Drugs (2009-2012)).

The national drug strategy for Scotland; The Road to Recovery (May 2008) – A New Approach to Tackling Scotland's Drug Problem, requires the Council to have a clearly laid out set of procedures to help deal effectively with incidents of substance misuse within EL&L service establishments.

This policy should be considered in conjunction with Hidden Harm, GIRFEC, Curriculum for Excellence, Aberdeenshire Local Authority Child Protection Guidelines, the Pan Grampian Children's Services ISP and the NESPC Multi Agency and GOCR Guidelines.

2. Context

Aberdeenshire Council regards substance misuse as a serious matter. When an incident of substance misuse involving a child or young person, or one involving an adult directly linked to the child or young person, occurs it is important that all EL&L personnel are familiar with procedures and their responsibilities. This document should be accessible to all personnel within EL&L.

These policy guidelines will assist EL&L establishments and staff in responding appropriately to information, evidence or allegations that children and young people are misusing drugs as well as in managing incidents involving substance misuse by young people and adults.

Heads and managers of EL&L establishments must ensure the policy and guidelines are in place, and well understood by each member of staff, to enable incidents of substance misuse to be managed effectively and ensure the safety and welfare of everyone within the establishment continues to be of paramount importance. School management should ensure staff know how to access the relevant line manager for help on substance-related matters including potential child protection issues.

3. Substance misuse - Substances included under this policy

For the purpose of this policy, an illegal substance relates to a controlled drug as defined under the Misuse of Drugs Act 1971 (Appendix 1).

Potentially harmful substances would include alcohol, volatile substances, solvents, prescription and non-prescription medicines and uncontrolled drugs, frequently referred to as “legal highs”.

The steps outlined in this policy should be taken for all these substances described as being potentially harmful as well as those which are illegal.

The following sections and appendices aim to clarify many of the questions staff have on the substances included in this policy, including how their use is governed by the law and the range of specialist services available within Aberdeenshire.

It is the responsibility of EL&L establishments to ensure that this policy is matched with an equally determined approach to education and prevention, and a strong ethos of support for young people.

In order to enable staff to meet their responsibilities in relation to substance misuse, this policy contains information and guidelines on the following areas:

- Child protection
- Principles of substance education
- Management of incidents of substance misuse

4. Child protection

All children and young people in Scotland have the right to be cared for and protected from harm and to grow up in a safe environment in which their rights and needs are respected. Protecting Children & Young People in Aberdeenshire (2007) sets out the authority's guidance for child protection based on the North East of Scotland Child Protection Committee (NESCPC) guidance.

The Children (Scotland) Act 1995 places a general duty on the local authority to safeguard and promote the welfare of children and young people within the area who are in need and to investigate if it believes that a child is suffering or is likely to suffer significant harm.

Evidence of parental substance misuse would be a cause for concern under the child protection guidelines and although, in itself the substance misuse does not confirm that abuse of the child is happening, it does indicate the need for further investigation.

Each EL&L establishment has a designated child protection person who, when concerns arise, should initiate further investigation in accordance with Child Protection guidelines.

5. Education on substance misuse

Curriculum for Excellence is about making a difference to children and young people, developing values, attitudes and skills as well as knowledge and understanding.

There is also now a legislative duty on local authorities under the Schools (Health Promotion and Nutrition) (Scotland) Act 2007 to ensure that schools are health promoting.

Substance misuse education in schools is often the first line of prevention against drug use, providing opportunities to pass on accurate, up-to-date facts, explore attitudes and, crucially, foster the skills needed to make positive, informed decisions.

Early years settings, schools and community learning & development (CLD) establishments have an important role to play in developing in young people qualities of resilience and adaptability so that they are able to make informed choices to enhance their own health and wellbeing.

To be effective, substance education should take account of young people's knowledge, beliefs and attitudes relating to substance misuse (SCRE 2000). It is not just about classroom teaching, but encompasses all policies, practices, programmes, initiatives and events connected with the prevention and reduction of **substance** related harm. Teachers will always be in the front-line for delivery in schools, however, the message will be most effective if delivered in partnership with young people, a range of partners and agencies.

CLD also has a key role in substance education. CLD staff are routinely in contact with young people and others who may be putting themselves at risk through substance misuse. It is frequently the case that youth workers, through the relationship of trust and support they have established with individuals and groups, are uniquely well placed to offer information and advice on how the harm associated with various substance misuse practices may be reduced.

6. Involvement of support agencies

In both schools and community settings, the provision of substance education should be well supported by input from partner agencies from both the statutory and voluntary sectors.

Effective handling of any substance misuse incident will be enhanced where good, trusting and respectful relationships exist between partner organisations. It is important therefore, to develop good collaborative links with social work services, health services, police and other voluntary and statutory organisations in order to provide a network of support and guidance

for young people. Staff should be familiar with EL&L guidelines in relation to confidentiality and be aware that different agencies will operate under different guidelines.

Where good inter-agency working exists, incidents can be dealt with quickly ensuring the best outcome for the child or young person involved.

7. Management of incidents of substance misuse

Despite the educative and supportive measures put in place by schools and CLD, there will be times when personnel are required to deal with the following situations:

- Clearing an EL&L establishment of drug-related litter
- Drug-related incidents involving adults
- Suspicion, allegation, disclosure of substance misuse
- Child/young person who displays symptoms of substance misuse
- Child/young person/adult taking controlled drugs on establishment premises, trips or transport
- Child/young person/adult selling controlled drugs on establishment premises, trips or transport
- Child/young person/adult with drugs on establishment premises, trips or transport

To support EL&L staff to deal effectively with the above incidents, a set of procedures has been developed. These are contained in booklet 2. These procedures should be followed at any stage during the school day where an incident occurs in or around school premises and equally apply to school transport or any school activities out with school. These procedures are also to be followed where activities are organised by CLD staff.

BOOKLET 2

1. Introduction

Heads and managers of EL&L establishments and senior CLD staff are responsible for ensuring that they are well prepared to manage incidents of substance misuse, should they occur and that all members of staff are fully aware of their role and function in the event of their involvement in incidents of this type.

There should be no doubt as to the seriousness of incidents of substance misuse. It is important that such incidents are dealt with robustly.

2. EL&L policy for managing incidents of drug and alcohol misuse

All establishments should have a designated member (or members) of staff responsible for advising on any substance misuse issue that arises. This member of staff must have appropriate knowledge on the effects of substances as well as signs and symptoms of substance misuse. He/she should be consulted by other staff with queries relating to substance misuse.

Good practice requires establishments to identify the line-management duties for co-ordinating action both within the premises and between other relevant agencies. Local multi-agency networks involving staff, police, health and social work should be put in place for responding to incidents in which a child or young person may be at risk. Heads and managers of establishments should ensure that these linkages are effectively utilised to manage incidents of substance misuse.

It is crucial that all staff in EL&L establishments are fully aware of their function and role in management of incidents of controlled and uncontrolled substance misuse. When informed of an incident heads and managers of EL&L establishments/senior CLD staff must quickly establish the facts of the incident and then take the appropriate action. The policy provides a step by step account of the procedures to be employed.

Heads and managers of EL&L establishments should ensure that staff are:

- Informed about their role in the management of incidents of substance misuse, and are fully committed to policies relating to substance misuse.
- Aware of their responsibilities under law. It is important that staff are aware of the legal implications of discovering a child or young person with a controlled substance, and how they would be expected to deal with such an event.
- Know to report all incidents of drug and alcohol misuse to the Management Team on duty.
- Informed of the limits of confidentiality that can be offered and that information about controlled and uncontrolled drug misuse may be offered in confidence but the recipient cannot keep such information to him or herself.
- Know that it is acceptable for a responsible person to take possession of a controlled drug for the purpose of preventing an offence in connection with that drug. The

controlled drug should then be delivered into custody of a person lawfully entitled to take custody of it (Section 5(4)(b) of the Misuse of Drugs Act 1971). He/she will then have a defence against prosecution for possession.

Any member of staff who finds himself or herself involved in an incident of substance misuse, involving a young person, should send for the headteacher (HT) or senior member of staff. They should also access another member of staff to act as a witness. It is important to have an independent witness present in order to corroborate all actions taken should any subsequent charge be made by the police and the case taken to court.

In some instances it may be difficult to access the support of another adult immediately. The member of staff should contain the situation and make contact through the main office to the most appropriate person within the local network as soon as possible.

The member of staff should remind the child or young person of policy regarding drug misuse and the procedures to be followed to investigate the incident, including the intention to contact parents/carers (if the child or young person is under 16) and the police. The steps to be taken by the member of staff involved are summarized in (Appendix 2).

3. Dealing immediately with the young person

It is vital that the health needs of the child or young person are fully met before any formal investigation involving the child or young person is undertaken.

If the condition of the child or young person involved gives rise for concern, medical help should be sought.

Procedure to follow if medical assistance is required:

- Provide first aid as necessary, minimise risk of the child or young person damaging him/herself or others.
AND/OR
- Send for an ambulance. Arrange for appropriate adult to accompany child or young person to hospital.

In the event of a young person requiring an ambulance, steps require also to be taken to take possession of any substances and/or related items. Recording should be made as described in the procedures that follow. Medical staff will require a description of any substances or related items that may have a bearing on the young person's health.

All staff should be made aware that extreme physical dangers present after an incident of solvent abuse. Solvent misuse demands a different approach from other types of substance misuse. The potential for heart failure demands that any suspected incident of this nature be treated as a medical emergency. The medical treatment of the young person should be the priority.

4. Taking possession of controlled drugs (or substances suspected of being controlled drugs).

Any child/young person suspected of being involved should be requested to hand over any suspected substances and/or related items to be delivered to the police. A description of the items handed over by the young person must be recorded and signed by both the person in charge, and the members of staff involved and the person acting as a witness (Appendix 3). The receiving adult must lock the suspected substances and/or related items away in a secure place, in the presence of a witness. The items must be handed over to the police at the first opportunity.

The young person should be given a receipt for anything he/she hands over to staff, with a description (e.g. colour, quantity) of the items. This should be signed by the child/young person as confirmation of what has been handed over.

It is important that the child/young person does not have the opportunity to destroy or pass on any evidence.

In exceptional circumstances, for example while on an excursion, with no access to a safe place to hold the substance, and solely to reduce the risk of, or to prevent, harm to the child or young person, the person in charge should take overall responsibility for holding the substance(s). The substances require to be retained for possible use as evidence, or for chemical analysis. All such actions should be witnessed and recorded and subsequently reported to the police at the earliest opportunity.

5. Contacting parents and police

The police should be contacted in the event of any incident of drug misuse. Police contact should be for advice and involvement as necessary.

Parents/carers should be informed and involved in any substance-related incident involving their child unless the young person is over the age of 16. If a young person aged 16 or over insists that their parents must not be summoned, this should be respected. In certain circumstances police or social work staff will contact parents/carers.

If the young person is under the age of 16, the parents should be contacted immediately, and advised that the police will be informed that there has been an incident in which there is a suspicion that a controlled substance might be involved, and which may involve their son/daughter. The time of the call should be recorded (Appendix 4). The parents will be required to come immediately.

If parents are not available, the authority has a duty of care to the young person and, accordingly, the designated senior member of staff must be in attendance if the police wish to interview the young person. If necessary, the member of staff, or someone from an appropriate service e.g. social worker, should accompany the young person to the police station.

If parents/carers arrive before the police, the parents/carers should be allowed access to the child or young person with an adult present at all times, unless otherwise instructed by the police.

If police arrive before parents/carers, the police should be asked to wait until the parents/carers arrive. However, circumstances may dictate the police taking immediate action. In such cases an adult must be present during the subsequent interview.

Police are entitled to detain and search anyone suspected to be in possession of drugs. Such searches are the responsibility of the police.

If the police require to search the child/young person on the premises, this must be carried out in the presence of the parent and/or appropriate member of staff.

The police may wish to take the child or young person away for questioning. In such cases staff are asked to seek an explanation from the attending police officer(s) for their actions and ensure a member of staff accompanies the child/young person if the parents have not already arrived.

6. Responding to the media

It is assumed that the HT/senior member of staff will be required to respond to enquiries from the press. Following a drugs misuse incident, the Aberdeenshire Communications Unit should be informed by a senior member of staff and a statement for the press prepared.

If staff are approached by the press, they should be directly referred to the HT or designated senior member of staff with overall responsibility for managing the incident. If the press approach the establishment before an agreed statement is prepared, they must be directed to Aberdeenshire's Communications Unit. Apart from the agreed statement, no further comment should be made.

Where other agencies are involved, they should agree a strategy for handling any approaches from the media.

7. Keeping a record: Evidence and statements

The senior member of staff and any other member of staff present should keep a written record of events and contact calls (including times). This record should be made immediately after each event, or as soon as practically possible. (Appendix 4).

Anyone involved in dealing with an incident of controlled drug misuse should expect to be interviewed by a senior member of staff and possibly the police, and to supply a statement of their involvement. It should be remembered that a court case may result from an incident and, therefore, a written record of the interview with a young person suspected of being in possession of, or supplying substances, must be made. Staff must be aware of where record forms are kept.

Any further action taken should also be recorded, and the member of staff responsible for dealing with the incident must ensure that the Head of Service is informed at the earliest opportunity. Completed incident forms must be stored in a locked cabinet in line with the Data Protection Act 1998.

8. Communication with parents & community members

Heads and managers of EL&L establishments will need to consider how information on individual substance misuse incidents should be communicated. Staff will require to be informed but whether information should be communicated to all parents/carers generally and the wider community will depend on the nature of the incident.

9. EL&L staff need to:

- Be given the broad facts
- Know the suspected substance(s) involved
- Know that the incident is being managed in line with EL&L procedures
- Agree the response to inquiries by children and young people and parents/carers, and the need to follow this advice to ensure consistency
- Know that they are required to refer all media inquiries to the designated senior member of staff.

In the event of school exclusion, all staff who teach the child/young person involved should be informed of the decision, but no reason should be given.

Other than to staff above, the name of child/young person involved must be kept confidential.

10. Parents

Generally it is not advisable for schools to write to all parents in response to a specific incident. However, there may be specific instances in which the headteacher may wish to consider, in consultation with appropriate officers, whether a letter should be written to all parents explaining:

- That a substance-related incident has happened in the school
- That the school policy, with which parents are familiar, has in this instance been carried out
- Which substance was involved
- To know that medical needs have been attended to
- To know that parents/guardians or carers and police have been involved
- To be reassured that the procedures are in place to manage the incident effectively and bring it to a successful conclusion

11. Partners and other Services

At the conclusion of the incident a discussion with the agencies involved should take place to review how the incident was managed, to inform changes to ensure best practice for the future, and to maximise the potential for agencies to work together effectively. A record of the outcome should be kept. (Appendix 5).

12. Management review

An evaluation should also be organised by the HT/manager to review how the incident was managed and inform changes if required.

13. Reporter to the children's panel

Where the school has sufficient concern, contact should be made with the Reporter for appropriate advice. To assist this decision, the HT may wish to liaise with social work, health or relevant professionals operating within the community network.

14. Excursions outwith school

School transport providers should be made aware that they should report the incident to the head teacher, who will then be responsible for dealing with the incident.

This policy applies equally on school and CLD excursions abroad. Before undertaking such excursions, the school/CLD manager responsible should ascertain any relevant laws and penalties for substance misuse of the country to be visited and should agree procedures to be followed in the event of any incident.

15. Managing incidents of drug or alcohol misuse involving adults

Heads of EL&L establishments must deal appropriately with incidents involving drug or alcohol misuse or drug or alcohol related behaviour by adults. The senior member of staff will need to take account of the safety of everyone both within and outwith the establishment when determining action to be taken.

There may be some occasions when EL&L staff encounter a situation in which the concern about substance misuse or related behaviour involves a parent or other adult. As with incidents involving children and young people, some situations will require immediate action in collaboration with other agencies to ensure the protection of a child or young person.

If a member of staff is not confident that a parent/carer is able to provide appropriate care and supervision of their child because he/she is under the influence of a substance, they have a duty to protect the welfare of the child or young person involved. They should attempt to contact an alternative guardian/carer before contacting social work staff, and, if necessary, the police.

If there are concerns about the safety of a child or young person, staff should attempt to persuade the adult not to leave with the child or young person until appropriate help arrives. If the adult insists on leaving with the child or young person, staff should immediately inform social work staff and the police (Appendix 6). Depending upon the age of the child, the course of action may vary.

Examples are given below.

Where the child is not of an age to look after themselves e.g. a young child attending playgroup, the member of staff should:

- Enlist the support of another member of staff
- Attempt to persuade the adult not to leave the premises with the child until appropriate assistance arrives
- Attempt to contact an alternative carer for the child (either the emergency contact or a family friend)
- NOT attempt to restrain the adult if they insist on leaving
- Contact the social work service and, if relevant, the police (Appendix 6).

Where the child is older and able to look after themselves e.g. a young person being picked up after a youth group, the member of staff should check that the young person feels safe to go home with this adult. If not, an alternative (carer/neighbour/ relative willing to take responsibility etc) should be contacted. If the young person is happy to leave, but the adult is intending to drive, the member of staff should:

- Try to persuade the adult not to drive home
- Suggest the adult does not take the young person
- Offer to order a taxi
- Suggest a friend drives them home

If the adult insists on leaving, the member of staff should contact the police.

If an adult is acting threateningly or aggressively on EL&L establishment premises, the member of staff should:

- Attempt to calm the situation
- Attempt to isolate the young person or adult by taking them aside, preferably to a quiet room
- Advise the adult that the police will be called if the behaviour continues.

These incidents should be recorded.

Support for young people affected by parental substance misuse

A number of young people in school are affected – or may have been previously affected - by parental substance misuse. This may constitute a child protection issue and staff should liaise with other relevant agencies as directed by the NESCPG Child Protection Guidelines. Getting Our Priorities Right and Hidden Harm are two documents which outline the specific

harms from parental substance misuse. Both of these, along with Getting it Right for Every Child (GIRFEC) emphasise the importance of strong partnership working in order to meet the needs of the child.

In all cases, staff should be alert to concerns about a child's welfare and report any issues to the relevant senior member of staff. The designated member of staff will co-ordinate a school support plan for the child/young person and liaise with other agencies as appropriate.

Support for young person(s) involved in incidents of drug misuse

It is important that children and young people receive appropriate support and re-assurance in the period following a substance misuse incident or disclosure of substance misuse as they may feel extremely vulnerable at this time. Staff should work closely with parents and identified partner agencies, in supporting the young person.

Where necessary children and young people need:

- To be told the facts of the incident, including the consequences
- To have the policy on drug and alcohol misuse reinforced
- To have their drug and alcohol education programme reviewed and supplemented where necessary

Support within the school

Children's services networks work towards an agenda for inclusion of all children/young people. For this reason every effort should be made to allow the child/young person to continue his/her education. Schools should collaborate with parents and partner agencies to support the child/young person in identifying and planning possible individual education programmes when required. These programmes should be reviewed and amended on a regular basis.

16. Substance related litter

If any member of staff either finds substance-related litter (e.g. bottles, needles, syringes) or it has been brought to their attention, they must first arrange for its safe removal.

For non-needle litter:

- Arrange for the substance to be safely stored while waiting to hand it to the police.

For needle/syringe type litter:

- Discarded needles and used syringes present environmental health and safety implications for EL&L, staff, young people and the wider community. Discarded injecting equipment should only be removed by persons appropriately trained and equipped to do so. The removal of drug related litter of this nature should be in

accordance with Health Scotland protocols and the Council's Health and Safety at Work Standing Procedures.

- Staff, if not properly trained or equipped, should isolate discarded needles and syringes from young people and other staff members until professional assistance is available. Needles and syringes can only be transported or stored safely in a "sharps" box.

For all substance-related litter, the member of staff must

- Complete a drug incident form, giving a description of the substance related litter
- Ensure the Senior/Community Learning & Development Worker and Quality Improvement Officer are notified of the incident at the earliest opportunity.

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