

# **Behaviour Policy: Guidelines on Alcohol, Smoking, Drugs and Sexual Relationships Section 5**

## Guidelines on Alcohol

### 1. The Law

An individual aged under 18 commits an offence if he or she buys or attempts to buy alcohol. A person commits an offence if they buy or attempt to buy alcohol on behalf of an individual aged under 18.

But the last statement does not apply where;

- (a) the relevant person is aged 18 or more,
- (b) the individual is aged 16 or 17,
- (c) the alcohol is beer, wine or cider,
- (d) its purchase or supply is for consumption at a table meal on relevant premises, and
- (e) the individual is accompanied at the meal by an individual aged 18 or over.

### 2. Principles

We aim to instil a responsible attitude to alcohol. Research has identified the following factors as important influences in societies with low rates of alcoholism:

- Children exposed to alcohol early in life
- Parents drink moderately
- Alcohol is often taken with food
- Wine and beer are drunk at home
- Drinking is not seen as good or bad
- Drinking is not seen as being “grown-up”
- Abstinence is seen as being socially acceptable
- People socialise without alcohol

### 3. Specific guidance

- Staff should not offer alcohol to students below the 6<sup>th</sup> form
- When students join the 6<sup>th</sup> form, the school will get specific consent (opt in, not opt out) to our stated policy.
- Between 16 and 18, students may only be sold alcohol in a properly licensed eating area with dining tables under the following conditions:

- It is bought for them by an adult (not a student) over 18
- An adult aged over 18 (not a student) is sitting at the table supervising its consumption
- The alcohol is consumed with a table meal
- The alcohol may be beer, wine or cider
- The School should not exceed our own medical advice when providing alcohol for our students.
- If we are providing alcohol free of charge to students (a private party) we should not provide it to students below the 6<sup>th</sup> form; the school will stick to our own medical guidelines and take reasonable care over any associated risks (eg are any students planning to drink and drive?)

#### 4.School trips

School trips raise some more complicated questions: the laws are often but not always different in other countries; the students may be staying with families. The trip may be recreational, but still carries risks: the school is still “in loco parentis”.

- Any issues relating to alcohol must be cleared in advance with parents and the school, and form part of the risk assessment.
- The agreed rules and risk assessment
  - observe the laws of the country visited
  - hold written consent from parents
  - the staff supervise and /or agree rules which are reasonable and reflect school conventions
  - If the rules are broken, the school will apply sanctions. In serious cases the student will be sent home. Disciplinary issues must be fully reported on return to school: details will be put on the student’s file and the school will reserve the right to ban the student from future school trips for a specified period.
- If there are possible issues of “remote supervision” of alcohol consumption (eg students billeted with families) this should be spelled out in advance to parents with agreement in writing over such consumption.
- In any event the staff in charge of the trip will operate a continuing risk assessment and make on the spot common sense and reasonable judgements “in loco parentis” (eg if a billeting family are unsuitable, the member of staff must not dither).
- Being over 18 on such trips does not exempt a student from school rules (eg on smoking and drugs); nor does it let us out of our responsibilities for those students.
- Any inconsistencies between our management of different trips is open to challenge, whether legal or informal, and could cost the school heavily in terms of pastoral care of staff and students, reputation

or insurance. Therefore any variations must be carefully explained in advance: they require explicit agreement in writing from parents and Headmaster.

All staff, especially House Staff, must be alert to the risk posed by students visiting **pubs and off-licences** in town, or asking older students to purchase alcohol for them. The School must be exceptionally vigilant over students bringing alcohol back on site from home, shops or pubs.

We should maintain and develop our programme of **PSHEE** on alcohol and related issues.

## 5. Sanctions

For sanctions relating to smoking and alcohol offences, please refer to the School Rules and Regulations and the sheets on the School's Policy on Alcohol, Smoking, Drugs and Sexual Relationships (attached).

### Policy on Alcohol, Smoking, Drugs and Sexual Relationships

Civilised behaviour and consideration for others are the central principles. Common sense will usually enable every student to bring credit to themselves and to the School. Misconduct of any kind outside of school will be amenable to school discipline if the welfare of another student or the culture or reputation of the school are placed at risk.

There will be specific announcements and guidance from time to time: what follows is a listing of the most important rules.

#### Alcohol

- Any student who brings alcohol onto the School site (boarding house, day house or any part of the site) is liable to be suspended (*refer to paragraph in School Rules on Suspension for further information as to how Suspension and Internal Suspensions are used at Taunton School*).
- Any student who procures alcohol for another student, is likely to be suspended.
- Alcohol brought on to the site as a gift (or as a prize etc) should be declared and passed on to house staff for safe keeping.
- Any student who consumes alcohol on the School site (outside of a recognised School event where alcohol is being served to Sixth Form students in a controlled fashion) is likely to be suspended.
- Any student who is drinking alcohol in a public place whilst under the authority of the School is likely to be suspended.
- Any student, whilst under the authority of the School, who visits a public house or consumes alcohol in a licensed premises without permission of house staff is likely to be suspended.

- Any Sixth Former who abuses any of the strict regulations of sixth form socials (drinking alcohol 'purchased' by another / using another's ticket to 'purchase' alcohol, consuming any alcohol before a social etc.) is likely to be suspended and they may be banned from other school events eg In the case of an upper sixth former abusing these regulations during his/her last term, they may not be permitted to attend the Leavers' Ball.
- Any student whose action requires the intervention of the Health Centre is likely to be suspended.

Parents of boarders (6<sup>th</sup> Form) give permission for their sons/daughters to go to town on a Saturday evening. If a student abuses these rules or breaks the law of the land, the school is likely to suspend the student.

Trips: Any student who breaks the guidelines on alcohol, as published to students prior to departure, might be sent home at the expense of parents (other sanctions will be in place at the discretion of the member of staff running the trip). The Deputy Head and house staff concerned must be informed on return to School; permission to go on future trips may be denied. A student may be suspended on their return to School.

## **Smoking**

The School seeks to educate students to live a healthy life through its PSHEE programme. Part of this programme emphasises the dangers and consequences of smoking.

The School has a general no-smoking policy. Students may not smoke or have smoking materials (including e cigarettes) in their possession. This applies during school time on or off school premises. If a student were to refuse permission for a member of staff to search their possessions, the school is entitled to draw its own conclusions. (please refer to the school policy)

Students caught smoking (including e cigarettes) will receive a Saturday afternoon detention, or be gated. Their parents will be informed and the offence will be logged. For the fourth offence within a term, the student will be referred to the Deputy Head and will probably receive a suspension. If students are found in the company of smokers, they will also be required to attend detention on a Saturday afternoon. Their parents will be informed.

## **Drugs**

Taunton School is committed to ensuring and promoting the health and safety of its students and, if necessary, will take action to safeguard their well-being. We recognise that all young people are at risk from drugs and make every effort to deter drug-taking. The school's Personal, Social and Health Education course includes programmes designed to educate students about the dangers associated with drug abuse and substance abuse.

It is a criminal offence to supply or to be in possession of a controlled drug, and it is illegal to allow premises to be used for the consumption of a banned substance.

Any infringement of the law is automatically against School rules. Anyone who brings drugs or substances into school, either to use or to supply (that is to sell or to give), can expect to lose the right to be in the School.

The School has a legal duty to safeguard and promote the welfare of all students in the School and this responsibility applies both to individual students and to the whole School community.

**Prevention:** The central aim of this policy is to keep drugs out of the School. We aim to do so by means of education, pastoral care, detection of users and a sanctions policy.

**Education:** We educate the students to understand that the use of drugs is or may be a criminal offence and will be harmful to their health, integrity, independence, opportunities and careers and will damage the society in which they live. We educate by means of personal development courses and by example, by discussion and by means of lectures from people such as doctors, lawyers, the police and reformed addicts.

**Pastoral care:** We encourage the students to discuss their anxieties about drugs or substances with a member of staff or counsellor. Testing is seen as a supportive measure and one which promotes the welfare and safety of students. The experience and professionalism of the Medical Department and other senior staff involved in the testing procedure play a crucial role and the detection of drug abuse is considered to be part of ongoing pastoral care which benefits both the individual and the community.

**Detection:** Every complaint or report of involvement with drugs and substances will be followed up and investigated.

**Sanction for supplying:** ANYONE SUPPLYING DRUGS MUST EXPECT TO BE EXPELLED IMMEDIATELY even if s/he is about to sit public examinations.

**The school** will also consult with the Police about any student who is caught in possession or supplies 'drugs and substances'.

**Sanction for possession or use:** Anyone possessing or using drugs MUST ALSO EXPECT TO BE EXPELLED but in exceptional cases a supportive regime may be offered as an alternative to expulsion. The Headmaster is not obliged to offer a supportive regime.

#### **Definitions:**

**Drugs and substances:** These expressions refer to the possession, use and supply of controlled drugs and the paraphernalia of drugs or substances intended to resemble drugs, or "legal" drugs which can be obtained from a chemist shop, performance enhancing drugs, anabolic steroids, glue and other substances held or supplied in

each case for purposes of misuse. They also refer to possession, use and supply of a substance taken specifically to change mood and/or behaviour including “legal highs”.

In May 2016 The Psychoactive Substances Act was passed. This new legislation bans “any substance intended for human consumption that is capable of producing a psychoactive effect” excluding those defined in the legislation as “legitimate substances” (food, alcohol, tobacco, nicotine, caffeine, medical products and controlled drugs). The main purpose of creating a blanket ban on all psychoactive substances is to protect young people from exposure to these drugs and avoid driving the psychoactive substances market without hindering any legitimate use of psychoactive substances, such as in healthcare, research or industry. Therefore, it is now illegal to supply, produce, distribute and sell these substances.

To clarify: drugs that are already illegal, such as cocaine, ecstasy, heroin and a number of so-called “legal highs” that have already been controlled as class A, B or C drugs, are not affected by these changes to the law. It is a crime to have these drugs in your possession at all.

## **Drug Testing Policy**

- There will be no random tests of students for drug abuse. However, if the School has reason to suspect that a particular student may have been misusing drugs, the Headmaster has the right to require that a test be carried out.
  
- If a student who has tested positive, or who has admitted being involved with drugs, is permitted to remain at School, the Headmaster reserves the right to make it a condition that there is repeat testing of the student in the future at intervals determined by the School. This may include the random testing of the student concerned. Any further positive test is likely to lead to permanent expulsion. There will be a requirement for the student to receive support and further education from qualified staff in the Health Centre.
  
- With regard to positive tests arising from drug use outside school time (holidays /weekends) the same rules apply on the grounds that drug abuse at any time is an issue for the School.

## **Testing procedures**

Testing procedures will be in accordance with standard good practice.

Confidentiality: Records of the testing will not be used for any other purpose and will be destroyed when the student concerned leaves the school.

A Deputy Head, or a senior member of staff, will be present during the testing procedure.

The written consent of the student will be obtained before the test is conducted. If a student refuses to give consent to be tested, s/he will be asked to say why s/he has refused. The School will be entitled to draw inferences from his/her response and general demeanour and the Police may be informed.

Any samples collected for the purposes of drug testing will be collected using recognised procedures to ensure that samples are genuine and not interfered with in any way.

Under normal circumstances, the school may inform the Police of possession, consumption or supplying of drugs.

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 parents' request or if the school deems it appropriate, then costs are likely to be met by 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.

### **Subsequent action**

Procedure: The School will treat a positive test, although not infallible, as evidence that the student has been using drugs. A meeting will be arranged at which:

The student will be asked to meet with the Headmaster (or, in his absence, the Deputy Head) with his/her parents and/or his/her Housemaster/mistress to assist him/her.

The evidence of the positive sample and all other relevant evidence will be put to the student and s/he will be invited to respond.

His/her response will be heard and considered and further enquiries will be made if necessary.

The Headmaster will make a finding of fact based on the evidence and supported by reasons.

Sanction: If the Headmaster's decision is that the student has been using drugs, the Headmaster will outline the range of sanctions he is considering and will then, or at a later meeting if requested, hear mitigating circumstances and consider the student's academic and disciplinary record before deciding on the sanction.

Review: If the student is expelled or required to leave, s/he and his/her parents will be offered a Governors' Review which will normally take place under a separate procedure, within ten days and his/her suspension may be continued in the interim.

### **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 Headmaster 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.

### **Sexual Relationships**

The School encourages positive and friendly relationships between students. But it has a responsibility to draw the line at sexual relationships between the students in its care.

The law does not permit sexual intercourse in which one or both partners is under the age of 16. The School rules go further.

Any sexual activity between students, of whatever age, either on school premises or at times when the school has the prime responsibility for the students concerned, will be treated as a serious offence. It is likely that the parents of those involved will be invited to find an alternative school for their son/daughter.