



THE
PORTSMOUTH
GRAMMAR
SCHOOL

The PGS Smoking, Alcohol, Drugs and Substances Policy

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The PGS Smoking, Alcohol, Drugs and Substances Policy

This is the Smoking, Alcohol, Drugs and Substances Policy of The Portsmouth Grammar School (School); it applies to all pupils of the School.

1. Aims

- 1.1. The School is committed to the health and welfare of all pupils and to taking action to promote and safeguard children's wellbeing.
- 1.2. The School's policy is to ensure that it provides a moral and educational environment in which parents and guardians can be sure that their children are properly protected from harmful effects of tobacco, alcohol, vaping, drugs and substance misuse.

2. Definitions

2.1. In the context of this policy, the following definitions apply:

- 2.1.1. **Alcohol** means intoxicating liquor of all descriptions (including beer, cider, wine and spirits).
- 2.1.2. **Biological sample** means a sample of breath, saliva, hair or urine provided by a pupil in accordance with the procedures set out in this policy.
- 2.1.3. **Drugs and substances** means controlled drugs; psychoactive substances; substances intended to resemble drugs and/or the paraphernalia of drugs, such as (without limitation) any equipment, product or accessory intended or modified for making, using or concealing drugs, "legal" drugs i.e. those which can be obtained from a chemist, performance enhancing drugs, anabolic steroids, glue and other substances held or supplied in each case for purposes of inhalation or misuse.
- 2.1.4. **Tobacco** means any tobacco-related product and paraphernalia including cigarettes, cigars and pipes and any other smoking related products such as tobacco and cigarette papers, nicotine substitutes, electronic cigarettes, cig-a-likes, and electronic vaporisers.
- 2.1.5. **Smoking** means the inhalation of tobacco or anything containing tobacco, or smoking any other substance in a form which it could be smoked. For the purpose of this policy, as detailed above, smoking also refers to such activities as the smoking or vaping of e-cigarettes, cig-a-likes, or electronic vaporisers/vapes and their associated paraphernalia.
- 2.1.6. **Supply** means providing or sharing (whether or not for money or other consideration) or facilitation of supply e.g. sale, exchange or sharing. It also includes the promotion / advertisement of supply.

2.1.7. **Use** means the taking / consumption of tobacco, alcohol, drugs or substances, including vaporisers/vapes.

2.1.8. **Misuse** means the unauthorised taking / consumption of tobacco, alcohol, drugs, vape or substances through which harm could occur and / or is in breach of the School rules and / or the law.

3. Responsibility statement and allocation of tasks

3.1. The Governing Body has overall responsibility for all matters which are the subject of this policy.

3.2. To ensure the efficient discharge of its responsibilities under this policy, the Governing Body has allocated the tasks according to the table in Appendix 6 below.

4. Pupil education

4.1. Information about the dangers of smoking, alcohol, drugs and substances is embedded in the PSHE and Pastoral Curriculum programme and pupils are, in particular, under no illusion that the School strongly disapproves of all drugs and substance use, as defined above.

4.2. In addition to PSHE and Pastoral Curriculum lessons, the School's commitment to pupil welfare and drug education is emphasised through assemblies with specific year groups, talks from the Police and presentations and workshops led by outside agencies. These address the serious risks from abuse of drugs and substances, and from alcohol and tobacco (including electronic vaporisers).

5. Smoking

5.1. The Portsmouth Grammar School operates a no smoking policy. Smoking, which includes use of cig-a-likes, electronic cigarettes and/or vaping, is not allowed in any part of the School premises including its buildings, grounds and/or vehicles.

5.2. As detailed in the School's Behaviour Management Policy, the School's rules on smoking apply equally to all trips and outings, either in the United Kingdom or abroad, and whether a pupil is in or out of School uniform. They also apply when in uniform on journeys to and from the School.

5.3. Pupils are forbidden from any production, possession, use, supply or sale of smoking related products whether or not the pupil is in the care of the School at the relevant time.

5.4. Discipline following misuse of tobacco

5.4.1. Any pupil who is found to breach the School's rules on smoking will find that they are subject to serious disciplinary proceedings in accordance with the School's Behaviour Management Policy.

5.4.2. For a serious breach or persistent breaches, a pupil may be permanently excluded or removed from the School.

6. Alcohol

6.1. Pupils are not permitted to drink, possess, supply or sell alcohol on the School premises or to bring alcohol onto the School premises, nor are they permitted to frequent public houses, off-licences or to drink or purchase alcohol whilst off the premises in School uniform. The only exception to this would be in situations where a member of staff has given express permission to members of the Sixth Form to consume a glass of wine or beer in conjunction with a meal – pupils must respect instructions given whether generally (eg PGS Protocol for Alcohol at a School Event) or specifically for an event. Pupils are not permitted to attend school under the influence of alcohol.

6.2. As detailed in the School's Behaviour Management Policy, the School's rules on alcohol apply equally to all trips and outings, either in the United Kingdom or abroad, and whether a pupil is in or out of School uniform. They also apply when in uniform on journeys to and from the School.

6.3. Testing for alcohol

6.3.1. Where there is suspicion that a pupil has consumed alcohol the pupil may be required to undergo testing provided that he or she has given his/her consent to do so.

6.3.2. The relevant consent to a test is that of the pupil rather than the parents, even if the pupil is under 16 years of age, provided he / she is of sufficient maturity and understanding and gives his / her informed consent in writing. Where the pupil is not deemed to have sufficient maturity and understanding or to be fit to give informed consent themselves, then consent will be sought from a parent.

6.3.3. The member of staff leading the investigation will determine whether or not the pupil is able to provide this consent and may, if available, request the additional opinion of a medically qualified member of staff or, failing this, the additional opinion of a member of the Senior Management Team.

6.3.4. Reasonable endeavours will be made, before a biological sample is taken, to notify a parent, guardian or education guardian as soon as is practicable of the requirement for a biological sample and the reasons for that requirement.

6.3.5. See **Appendix 1** for details of the testing procedure for alcohol and of refusal to consent to testing.

6.4. Discipline following alcohol misuse

6.4.1. Any pupil who is found to have breached the School's rules on alcohol will find that they are subject to serious disciplinary proceedings under the School's Behaviour Management Policy.

6.4.2. For a serious breach or persistent breaches, a pupil may be permanently excluded or removed from the School.

7. Drugs and Substances

7.1. Pupils are forbidden from any production, possession, use or supply of drugs and substances or for any reason associated with drugs and substances whether or not the pupil is in the care of the School at the relevant time.

7.2. Testing for drugs and substances

7.2.1. Where there is suspicion that a pupil has used drugs and/or substances the pupil may be required to undergo drug testing provided that they have given their consent to do so.

7.2.2. The relevant consent to a test is that of the pupil rather than the parents, even if the pupil is under 16 years of age, provided they are of sufficient maturity and understanding and give their informed consent in writing. Where the pupil is not deemed to have sufficient maturity or understanding or to be fit to give informed consent themselves, then consent will be sought from a parent.

7.2.3. The member of staff leading the investigation will determine whether or not the pupil is able to provide this consent and may request, if available, the additional opinion of a medically qualified member of staff or, failing this, the additional opinion of a member of the Senior Management Team.

7.2.4. Reasonable endeavours will be made, before a biological sample is taken, to notify a parent, guardian or education guardian as soon as is practicable of the requirement for a biological sample and the reasons for that requirement.

7.2.5. See **Appendix 2** for details of the testing procedure for drugs and substances, and of refusal to consent to testing.

7.3. Discipline following misuse of drugs and substances

7.3.1. Any pupil who breaches any or all of the prohibitions on drugs and substances will find that they are subject to serious disciplinary proceedings under the School's Behaviour Management Policy.

7.3.2. Any pupil producing or supplying drugs or substances should expect to be permanently excluded even if they are about to sit public examinations.

7.3.3. At whatever stage a pupil so involved may be, and however painful it will be to all parties, the School's policy will be that a pupil who has misused drugs and/or substances may expect permanent exclusion.

7.3.4. All such decisions will be taken by the Head, following consultation with the Chair of Governors following a disciplinary procedure in accordance with the School's Behaviour Management and, where relevant, Exclusion Policy.

7.3.5. Occasionally a pupil is admitted into the School in the knowledge that they have been required to leave their previous school in circumstances pertaining to drugs and / or substances. Their admission is conditional on their agreement to refrain from further use of drugs and substances and the Head and Governors may consider whether the supportive regime described below should be an additional condition of entry (see Appendix 3 and 4).

8. Suspicion of misuse of tobacco, alcohol, drugs, vapes and substances

8.1. Suspicion of misuse in connection with drugs, smoking, alcohol, vapes or substances may arise from specific observations, allegations or behavioural signs giving rise to deterioration in a pupil's welfare and/or performance. It may also arise from suspected involvement in a drug-related incident.

8.2. All staff should be alert to signs of drug misuse. Such signs include a decline in performance in school work, marked swings in mood, excessive tiredness, sores and rashes (especially on the mouth or nose), a lack of interest in physical appearance and an unwillingness to take part in school activities.

8.3. If a member of staff has reason to suspect that a pupil is breaching the School's rules regarding smoking, alcohol, drugs, vapes and/or substances, he/she must immediately report the situation to the Head or the Senior Deputy Head, who will decide if further investigation is warranted.

8.4. Any allegations in connection with smoking, alcohol, drugs, vapes and/or substances will be thoroughly investigated by the Senior Deputy Head (or delegated to another member of staff).

8.5. If a pupil is suspected of misuse of tobacco, alcohol, drugs and/or substances, the Senior Deputy Head or a member of the pastoral team, will ordinarily contact the pupil's parents as soon as practicable.

8.6. Details of the testing procedures for alcohol, drugs and substances, and of refusal to consent to testing, are set out in paragraphs 6 and 7 above and in Appendices 1 and 2.

8.7. As well as informing the Chair of Governors of any serious concerns of this nature, the Head or Senior Deputy Head may also seek the advice and assistance of the Police or children's services. See below for further details regarding Police involvement.

9. Investigation

- 9.1. Every complaint, allegation or rumour or observation of pupil behaviour in relation to tobacco or alcohol or vapes or involvement with drugs and substances will be followed up and investigated in accordance with this policy and the procedures set out in the School's Behaviour Management Policy and, where relevant, the School's Exclusion Policy.
- 9.2. If the findings of the investigation support the allegation, complaint or rumour or observation of pupil behaviour, a disciplinary meeting will be held in accordance with the procedures set out in Appendix 3 of the School's Behaviour Management Policy.

10. Searches for tobacco, alcohol, drugs, vapes and substances

- 10.1. If a member of staff has reason to suspect that a pupil is in possession of alcohol, tobacco, drugs, vapes and/or substances or related paraphernalia a search may be conducted as follows:

- 10.1.1. a personal search including outer clothing and inside pockets; and/or
- 10.1.2. a search of school property e.g. lockers; and/or
- 10.1.3. a search of personal belongings e.g. luggage, bag, pencil case, car.

- 10.2. The search will be carried out in line with the School's guidance on searching in the School's Behaviour Management Policy and with the statutory Government advice found here:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/674416/Searching_screening_and_confiscation.pdf

- 10.3. **Search with consent:** School staff can search a pupil, as detailed above, for tobacco, alcohol, drugs, vapes or substances with their consent. The member of staff will consider the pupil's age and other factors when determining whether the pupil is capable of giving their consent. Formal consent in writing is not required, but the Form in Appendix 5 can be used where this is appropriate and practicable.
- 10.4. **Search without consent:** A pupil may be searched without their consent for tobacco, alcohol, drugs, vapes and/or substances in accordance with the School's policy on searching and confiscation. See the procedures set out in the School's Behaviour Management Policy and, where appropriate, the School's Reasonable Use of Force Policy.
- 10.5. Guidance as to relevant law and recommendations can be found in Searching, screening and confiscation: advice for schools (DfE, January 2018) and DfE Drugs advice for schools (September 2012).
- 10.6. The School will retain, dispose or destroy tobacco, alcohol, vapes and smoking/vaping equipment. Specific advice on the normal procedure for this can be found in the School's Behaviour Management Policy, Appendix 4.

11. Police and external agencies involvement

- 11.1. The School must notify the police of actual or alleged criminal activity and, if appropriate, other external agencies.
- 11.2. If the School suspects that a criminal offence has taken place in relation to the possession, use or supply of alcohol, drugs or substances, then the School may decide to report the matter to the Police and /or the relevant local authority or external agency.
- 11.3. If the Police suspect that a pupil possesses or has stored drugs, substances or related paraphernalia, the Police may elect to investigate using their own procedures or may pass the matter back to the School to investigate.
- 11.4. See the School's Safeguarding and Child Protection Policy and Procedures for further detail of appropriate actions and procedures where matters under this policy also have a Safeguarding dimension.
- 11.5. If the School seizes a controlled drug, the drug may be destroyed if there is good reason to do so. Otherwise the School will deliver it to the Police as soon as reasonably practicable. Substances suspected to be controlled drugs will be dealt with in the same manner. Specific advice relating to the disposal of confiscated items can be found in the School's Behaviour Management Policy Appendix 4.

12. Results of tests

- 12.1. Results of a test for alcohol or drugs and/or substances will be communicated to the Head and/or the Senior Deputy Head. The pupils and their parents will also be informed with confirmation of the result by telephone, email and/or post. Should further tests then be required this fact will be known only to senior staff with a pastoral responsibility for the pupil – this will typically involve senior staff and their Head of Year.
- 12.2. If the first sample test gives a positive result, the sample will be retained by the Health and Wellbeing Centre in case the result is challenged. If the first sample is tested negative, the sample will be destroyed.
- 12.3. See Appendix 1 for further details of the testing procedure for alcohol and refusal to consent to testing, and Appendix 2 for such details relating to drugs and substances.

13. Confidentiality and record keeping

- 13.1. Records of positive test results will be used in disciplinary procedures but will not be used for any other purpose and will be destroyed when the pupil concerned leaves the School in accordance with the School's policies that apply to the retention and destruction of records, noting any specific requirements detailed in relation to safeguarding.

13.2. Sensitive personal information about pupils is disclosed only on a "need to know" basis with careful attention to pupils' rights and needs.

13.3. The records created in accordance with this policy may contain personal data. The School has a privacy notice which explains how the School will use personal data about pupils and parents. The privacy notice is published on the School's website. In addition, staff must ensure that they follow the School's data protection policies and procedures when handling personal data created in connection with this policy. This includes the School's Data Protection Policy and Privacy Notice for the School Community.

14. Support for Pupils and Families

14.1. If a pupil comes forward and voluntarily identifies themselves as a drug user (or having an alcohol problem) and asks for help, or if their parents or friends ask for help on their behalf, or as part of the disciplinary procedure, the School may, depending upon the circumstances and at the discretion of the Head, offer the pupil the opportunity to reform their habit with the support of counselling and a supportive testing regime (See Appendix 3 and Appendix 4), either within the School or from external services.

14.2. Similarly, pupils who smoke may be given the opportunity to undertake a smoking cessation programme.

15. Safeguarding

15.1. The School is alert to the potential need for early help for a child who misuses drugs or alcohol. A member of staff who has any concern about a pupil's welfare, or considers that a pupil may benefit from early help, should report this to the Designated Safeguarding Lead in accordance with the School's Safeguarding and Child Protection Policy and Procedures.

15.2. If parents or visitors attending School premises appear to be under the influence of drugs and/or substances or alcohol, they will be asked to leave and the member of staff making the request should refer the matter to the School's DSL.

15.3. If a member of staff suspects that a parent has driven or will drive whilst under the influence of drugs or alcohol, the member of staff should report the matter to the DSL or a member of the senior management team who may telephone the Police.

15.4. If the DSL reasonably believes that a pupil is at immediate risk of harm from a parent who is under the influence of drugs or alcohol, the pupil will not be released into the care of the parent until appropriate measures have been taken which may include involving another member of the family, social services or the Police.

16. Complaints

16.1 Complaints relating to this Policy will be dealt with through the School's Parental Complaints Policy and Procedure.

17. Associated documents

- 17.1. The PGS Safeguarding and Child Protection Policy and Procedure
- 17.2. The PGS Behaviour Management Policy
- 17.3. The PGS Exclusion Policy
- 17.4. The PGS Parental Complaints Policy and Procedure
- 17.5. The PGS Reasonable Use of Force Policy
- 17.6. The School Rules

18. Referenced documents

- 18.1. *Searching, screening and confiscation: advice for schools* (DfE, January 2018) and DfE *Drugs advice for schools* (September 2012)
- 18.2. *DfE Drugs Advice for Schools* (September 2012)
- 18.3. *Testing for substance misuse in schools (June 2020)* - Medical Officers of Schools Association (MOSA)

Appendix 1 Testing for Alcohol

1. As detailed in the policy above, particularly paragraph 6, if there is reason to suspect that a pupil has consumed alcohol the pupil may be required to undergo testing (also see paragraphs 6 and 8-12 above for information regarding consent and parental contact).
2. Only members of staff who have received training will be authorised to administer the breathalyser. In general, they will be members of the Senior Management Team or Health & Wellbeing Centre Staff.
3. If a pupil refuses to provide a sample of breath they may be asked to supply, under medical supervision, a further biological sample for analysis in accordance with the drug testing procedures (see Appendix 2) and asked to say why they have refused. The School will be entitled to draw inferences from their response and general demeanour. If a parent's consent is required and they refuse to consent to their child providing a biological sample, the School may draw inferences from the pupil's general demeanour.
4. A written record will be kept when a pupil is asked to take a test and its outcome will be recorded. Details relating to the confidentiality and record-keeping pertaining to such information can be found elsewhere in this policy (for example paragraph 13) and in the School's relevant policies.

Appendix 2 Testing for drugs and substances

1. As detailed in the policy above, particularly paragraph 7, if there is reason to suspect that a pupil has been involved with drugs and / or substances, they may be asked to supply, under medical supervision, a biological sample (e.g. saliva, hair or urine) for analysis (also see paragraphs 7-12 above for information regarding consent and parental contact).
2. The site for sample collection will be the Health and Wellbeing Centre, which will provide a discreet area with a wash basin, lavatory and the necessary equipment.
3. If a pupil refuses to provide a biological sample they will be asked to say why they have refused. The School will be entitled to draw inferences from their response and general demeanour. If a parent's consent is required and they refuse to consent to their child providing a biological sample, the School may draw inferences from the pupil's general demeanour.
4. The biological sample will be taken under supervision. The testing is undertaken by an independent practitioner who will accompany the pupil at the Health and Wellbeing Centre. A member of the school staff will also be present; however, the pupil may request that their tutor or another member of staff of their choosing also accompanies them. Every effort will be made to maintain privacy and human rights, although it will also be necessary to ensure that the sample is not interfered with or contaminated in any way. Testing procedures will be in accordance with standard good practice and where applicable the *Testing for substance misuse in schools* (October 2015) produced by the Medical Offices in Schools Association (MOSA).
5. A written record will be kept when a pupil is asked to take a test and its outcome will be recorded. The outcome of the test, whether positive or negative, will not form part of the pupil's permanent medical record. Details relating to the confidentiality and record-keeping pertaining to such information can be found elsewhere in this policy (for example paragraph 13) and in the School's relevant policies.
6. If the test proves negative, no further sanction will be implemented and the sample will be destroyed immediately. The school, in conjunction with parents, will pursue other avenues to resolve the problem which aroused suspicion.
7. It may be necessary to change the procedure from time to time. Any changes shall be authorised only by the Governing Body and shall come into force on the date designate (which may be immediate). The amended procedure will be circulated to staff and sent to parents as soon as practicable but no later than the beginning of the term following the date the changes were made.

Appendix 3 Supportive Regime – Pupil Agreement Form

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 Behaviour Management Policy.</p> <p>I have read and understood these documents.</p> <p>The Head has offered me a supportive regime which will include testing. For the remainder of this term and the next three school terms, without obligation on the part of the School, I may at any time be asked to provide a saliva / hair / urine or other sample under medical supervision 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 provide a saliva / hair / urine sample at any reasonable time even if no grounds exist at that time to suspect that I have been involved with drugs and/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 (pupil)	

[See separate Declaration of parent/ guardian/ education guardian – Appendix 4]

Appendix 4 Supportive Regime - Declaration of parents / guardian / education guardian

Full name of pupil	
<p>I / We the undersigned have read <i>Testing for substance misuse in schools</i> (October 2015) produced by the Medical Offices in Schools Association (MOSA) read the School's policy on smoking, alcohol, drugs and substances, and this Appendix. For my / our part, I / we accept the Head's offer of a supportive regime for the above-named pupil, as described above.</p> <p>I / We undertake to cooperate with the regime in all respects and to pay the laboratory charges for each test.</p>	

Signed	
Full name	
Relationship to pupil	
Date	

Signed	
Full name	
Relationship to pupil	
Date	

Appendix 5 Form confirming Consent to be Searched (pupil)

Full name of pupil	
<p>I am aware that I am being asked to give my consent to being searched in accordance with The PGS Smoking, Alcohol, Drugs and Substances Policy, which is available on request, and as permitted by law.</p>	
<p>By signing this form, I confirm that (please delete as appropriate):</p> <p>EITHER I freely give my consent</p> <p>OR I do not give my consent</p>	

Signed (pupil)	
Full name	
Date	

In the presence of:

Signed (adult)	
Full name	
Relationship to pupil	
Date	

Appendix 6 Allocation of tasks and Version control

1. **Allocation of tasks:** in accordance with paragraph 3 of the policy above, the governors have allocated tasks according to the table below:

Task	Allocated to	When / frequency of review
Keeping the policy up to date and compliant with the law and best practice	Senior Deputy Head	As required, and at least annually
Monitoring the implementation of the policy	Senior Deputy Head	As required, and at least termly
Maintaining up to date records of all information created in relation to the policy and its implementation as required by the GDPR	Senior Deputy Head	As required, and at least termly
Seeking/receiving input from interested groups (such as pupils, staff, parents) to consider improvements to the School's processes under the policy	Senior Deputy Head	As required, and at least annually
Formal annual review	Governing Body	Annually

2. Version Control

Date of adoption/approval of this policy	17 th March 2023 (Governing Body)
Date of last review of this policy	3 rd February 2023 (Education Committee)
Date for next review of this policy	Spring 2024
Review schedule	Annually
Policy author (SMT)	Senior Deputy Head
Status	External
Report	Safeguarding and pastoral

Ph4230323

Addendum relating to Remote Learning

This policy also applies to pupils whilst involved in Remote Learning provided by the School and/or using School accounts.