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**Alcohol and Drugs Policy**

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# 1. Introduction

This Policy is part of a University wide approach that promotes a secure, safe and supportive environment in which to learn and work. The Directorate of Students, Support and Information Services, Estate Management and the Students’ Union jointly support the Policy. In conjunction with health promotion activities and the Positive Mental Health Policy, the overarching premise is one of support and education, focusing on boundaries of acceptable and responsible behaviour. The Policy is also clear that should these boundaries not be adhered to there will necessarily be consequences for the student involved.

Alongside the Policy and procedures, information has been developed to enable students to make informed decisions about drug and alcohol use. Procedures have been produced for staff to enable an effective response to incidents of drugs, substances and alcohol misuse.

Students who have or develop alcohol or drug-related problems may cause harm to themselves and to others. The misuse of alcohol and drugs (substance misuse) often affects their performance, conduct and relationships both on their course and at home. It can also have consequences for future career choices.

The University has a legal responsibility for the health, welfare and safety of its students, staff and visitors and aims to provide a safe, healthy and high-quality learning environment. This includes addressing the risks posed by substance misuse, informing students of their responsibilities and codes of conduct and providing help and advice on request.

**All students have a legal responsibility to take reasonable care for their own safety and for that of others.**

# 2. Alcohol, substances, illegal and legal drugs Policy Statement

The University of Chichester is committed to providing a safe, healthy and supportive working and living environment for students.

The use by students of illegal drugs and/or the misuse of alcohol, substances and legal drugs is harmful to the individuals concerned and to the wider University community. The University has a duty to provide a safe environment for all of its students and staff. This Policy is set out with the welfare of the University community in mind.

The University does not tolerate the use, possession or selling of illegal drugs on campus or in off-campus University Managed Properties. In addition, the University does not tolerate the misuse of alcohol, substances or legal drugs (including prescription and over-the-counter drugs). University disciplinary action will be taken against students who, following investigation, are found to have breached the terms of this Policy, University Academic Regulations and/or their Licence Agreement for Student Accommodation.

The University will provide support and guidance to students to assist them in making informed decisions about drug and alcohol use. Ongoing support will be given to students who are striving to make decisions that avoid their misuse of drugs and alcohol.

# 3. Policy Principles

This Policy will be delivered in accordance with the following Principles:

* Encourage and support mutual respect within the whole of the University community.
* Work with staff and students to create an understanding of acceptable behaviour.
* Assist students to make informed decisions about drug and alcohol use. Recognise the link between responsible behaviour and an enjoyable learning experience and seek to promote a social environment from which all may benefit.
* Take very seriously the legal responsibility for the health, welfare and safety of its students, staff and visitors and aim to provide a safe, healthy and high-quality learning environment.
* To take prompt action, in compliance with legislation, where the use, possession and/or supply of illegal drugs is reported to the University. To investigate such reports objectively and to cooperate with the Police.
* To take prompt action to deal with the misuse of alcohol, substances, and legal drugs (including prescription and over-the-counter drugs).
* Recognise that staff with responsibilities for teaching and the support and welfare of students and those who manage others have additional responsibilities to promote and to be alert to indicators of alcohol, substance or drug misuse and to take appropriate action when necessary.
* Provide guidance and information to staff and students to help them develop the confidence to know what action to take if they are concerned about alcohol, substance or drug misuse and the health and safety of fellow students or of themselves.

# 4. Who is covered by the Policy?

The Policy applies to students in circumstances where there is a safety risk to themselves or others, or where their conduct or quality of work affects others or the reputation of the University (such as students on University-organised work placement, working in laboratories on research projects or as members of University sports teams). It applies whether students are on University premises or elsewhere on University business or study activities, including premises managed on behalf of the University by a third party.

For the purposes of this policy the term ‘student’ applies to all registered undergraduate and postgraduate students as well as all degree apprenticeship students and International Short Programme students and trainees. The policy also applies to members of staff who are registered students.

All cases of the use, possession and/or supply of illegal drugs will be reported to the Police. University disciplinary action may follow appropriate investigation by the Police and/or the Deputy Vice-Chancellor (or designate), Heads of Academic Departments or the Director of Estate Management, who is responsible for University security. The University reserves the right to report on the misuse, possession and/or supply of legal prescription and over-the-counter drugs. The University does not wish to criminalise its students or visitors, but it has a legitimate interest in protecting those at the University and its own reputation from the likely consequences of substance misuse.

# 5. Aims of the Policy

The purpose of the Policy is to:

* Promote health and safety and wellbeing by providing information, advice and support
* Inform students about drug and alcohol use and misuse
* Provide advice on the support options available
* Enable individuals with alcohol, substance and/or drug-related issues to seek help
* Offer guidelines to all students and staff regarding their responsibilities and the required code of conduct
* To be clear about how misuse may lead to legal and disciplinary action
* To provide an appropriate framework for the discharge of the University’s legal duties.

# 6. What do we mean by misuse?

Substance misuse is defined as the habitual or intermittent use of alcohol or any drug or other substance which causes detriment to an individual’s health, social functioning or study/work performance. It can often impair safety of themselves or others and affect attendance, time keeping, efficiency or conduct. Misuse also includes the possession, use or supply of illegal drugs.

The term ‘substance misuse’ relates to all illegal drugs (controlled by the Misuse of Drugs Act, 1971 and the Psychoactive Substances Act 2016); all legal drugs, including alcohol, tobacco, volatile substances (those giving off a gas vapour that can be inhaled), ketamine, khat and amyl nitrates (known as poppers); and all over-the-counter and prescriptive medicines. Illegal drugs are divided into three classes: Class A includes cocaine and morphine, Class B includes cannabis, amphetamines and barbiturates, and Class C includes anabolic steroids.

# 7. The legal position

**Under the Misuse of Drugs Act 1971**, the term ‘misuse’ covers the supply, possession and use of illegal drugs and the misuse, whether deliberate or unintentional, of prescribed drugs and substances such as solvents. Supply or possession of an illegal drug is unlawful. It is an offence for an employer, an occupier of premises or persons concerned in the management of premises to allow the supply, use or production of drugs to take place on their premises. The penalties for offences involving controlled drugs depend on the classification of the drug. As such the University cannot and will not allow such criminal activity to take place on its premises.

**Under the Psychoactive Substances Act 2016,** it is an offence to produce, supply, offer to supply, possess with intent to supply, possess on custodial premises, import or export psychoactive substances. As for misuse under the Drugs Act 1971 above, the University will not allow such criminal activity to take place on its premises.

**The Health and Safety at Work Act 1974** places a duty on employers to ensure, so far as is reasonably practicable, the health, welfare and safety at work of staff, students and other users of its premises. Alcohol and drug misuse can have a negative impact upon the individual and/or others.

**The Road Traffic Act 1988** states that a person is guilty of an offence if driving or attempting to drive a motor vehicle in a public place while unfit through drink or drugs.

**The Licensing Act 2003 Section 141** makes it an offence to sell or attempt to sell alcohol to a person who is drunk, or to allow alcohol to be sold to such a person on relevant premises.

For more detail of these Acts see Appendix F: What are the UK drug laws?

# 8. Student conduct

The University of Chichester’s Student Contract, Terms and Conditions (which can be found on the [Student Contract University webpages](https://www.chi.ac.uk/study/undergraduate/student-contract/)) outlines the conduct expected of students as well as their obligations to observe the University’s health and safety instructions. In addition, the Academic Regulations (Taught Undergraduate and Taught Postgraduate) Section 1 Part 12 Procedures for Disciplinary Action Against Students defines misconduct and outlines how cases of misconduct will be dealt with.

Students who live in University Halls of Residence and University Managed Properties are expected to comply with the [Residents Code of Conduct](https://www.chi.ac.uk/student-life/accommodation/#accommodation-documents) and are subject to the [Disciplinary Code and Procedures Related to Students in Halls of Residence](https://www.chi.ac.uk/student-life/accommodation/#accommodation-documents).

These outline the rules on behaviour expected from all students in University managed properties and outline the procedures for dealing with misconduct within University accommodation. Academic Regulations take precedence over the residential disciplinary procedures where applicable.

What constitutes a breach of these regulations and conditions may depend on many factors, but it is expected that all students will take personal responsibility for ensuring that their conduct does not affect study or work performance.

In relation to the misuse of drugs and alcohol, the following code of conduct applies; misconduct may result in disciplinary action under the Academic Regulations or the residential disciplinary procedures as applicable:

* Supply, possession or use of illegal drugs is forbidden.
* Prescription drugs are only to be used as prescribed; similarly, over-the-counter drugs should only be used as recommended.
* No one should undertake University-related business or represent the University while unfit through drink or drugs. Substance misuse resulting in risk to the safety of others is likely to lead to misconduct or serious misconduct under student disciplinary procedures. Examples where this might occur include sport-based laboratory work with clients, using machinery or hazardous substances, driving, sports activities or any other activities identified as hazardous on a risk assessment.
* Students undertaking activities identified as hazardous on a risk assessment and who are taking prescribed drugs must consult their doctor as to whether the drug(s) could affect safety (eg cause drowsiness or affect judgment or co-ordination). If so, they must inform their tutor or other person responsible for health and safety in the area and refrain from the safety-critical activities.
* Where applicable, students must comply with any statutory registration requirements, professional codes of ethics and accreditation provisions with reference to substance use (eg in clinical/laboratory work involving contact with clients, or in work in schools).
* Caution must be exercised where services to students, staff or visitors are involved using information systems that hold sensitive data and where error could damage the interests of individuals or the University.
* Students must not compromise their own safety by working with or being reliant upon (e.g. as a car or bus passenger) someone who has consumed alcohol or drugs.
* Students are strongly advised that a disruption of academic activity due to substance misuse will be investigated by the academic department concerned and disciplinary action may ensue if the University’s Academic Regulations are found to have been breached.
* Spiking drinks is a criminal offence; the drugs commonly used to spike drinks (GHB / GBL / 1,4-BD) are all Class B drugs under the Misuse of Drugs Act 1971. It is also an offence under the Sexual Offences Act 2003 to give someone any substance without their consent and with the intention of stupefying them so that sexual activity can take place.
* Pressure should not be applied to encourage others to drink alcohol, take drugs or misuse substances. This includes disrespectful behaviour.
* It is illegal to serve alcohol to someone who is already intoxicated.

# 9. Confidentiality and data protection

All cases will be handled in strict confidence and all personal information will be processed securely in accordance with the University’s Privacy Standard and with current data protection legislation. Personal data may be used by the relevant University managers to consider and plan any support needed and to manage the study relationship. Consent to share this information more widely will be obtained if and when required, unless the student or someone else is at risk or where to do so might impede the prevention, investigation, detection or prosecution of a criminal offence.

# Appendix A: Sources of Help, Advice and Guidance

**Student Support and Wellbeing contacts in office hours:**

* **Student Health 07739 983703**studenthealth@chi.ac.uk 01243 816111
* **Wellbeing Services** Wellbeing@chi.ac.uk
* **Director of Students, Support and Information Services - Dave Corcoran**D.Corcoran@chi.ac.uk01243 816459
* **International Student Advice Service** 01243 812146international@chi.ac.uk
* **Chaplain - Rev. Dr. Alison Green** 01243 816041Alison.Green@chi.ac.uk
* **Support and Information Zone (SIZ)**  01243 816222
help@chi.ac.uk

**Estate Management contacts in office hours:**

***For incident investigation, lead Security Response and for Students living in Halls of Residence and University Managed Properties (UMP)***

* **Charles White - Head of Campus and Residential Services** 01243 816081
C.A.White@chi.ac.uk
* **Joe Ayres - Accommodation Manager** 01243 793417
J.Ayres@chi.ac.uk

**Contacts out of hours:**

* **University Emergency Phone Number (available 24/7) 01243 816363**
* **Accommodation 24/7 Phone Numbers:**
	+ **BOC 01243 793477**
	+ **BRC 01243 793488**
	+ **Stockbridge 01243 533356
	 07824 349543**
	+ **Fishbourne 01243 790279
	 07791 692966**
	+ **Westgate 01243 812931
	 07795 257068**

**Students’ Union**

* **President** 01243 816390Supresident@chi.ac.uk
* **Vice-President** 01243 816394suvpresident@chi.ac.uk
* **General Manager - Anne Elliott** 01243 816398
A.Elliott@chi.ac.uk

**Academic**

***Student’s academic contacts***

* **Academic Adviser/Tutor**

**External Agencies**

* **Drugs helpline** 0300 123 6600; text 82111; live chat
<http://www.talktofrank.com/>
* **NHS 111** when you need medical help fast - but it’s not an emergency
* **Bersted Green Surgery,** Bognor Regis 01243 821392
* **Bognor Regis War Memorial Hospital** 01243 831607 (please note there is no A&E)
* **Cathedral Medical Practice, Chichester** 01234 813450
* **Lavant Road Surgery** Chichester 01243 527264 www.lavantsurgery.co.uk
* **Maywood Surgery,** Bognor Regis 01243 829141
* **Samaritans** (24hr helpline) 116 123, FREE to call
* **St. Richard's Hospital** (main switchboard) 01243 788122
* **Police** (non-emergency) 101 (or direct to West Sussex Police on 01273 470 101)

**Websites**

<https://www.nhs.uk/live-well/healthy-body/drug-addiction-getting-help/> The NHS website with information and advice on drug addition.

<https://www.nhs.uk/live-well/alcohol-support/> The NHS website offering advice and help with alcohol problems.

<http://www.talktofrank.com/> FRANK helps you find out everything you might want to know about drugs (and some stuff you don't).

<http://www.drugwise.org.uk/> DrugWise - promoting evidence-based information on drugs, alcohol and tobacco.

<http://www.alcoholics-anonymous.org.uk/> Alcoholics Anonymous is a fellowship of men and women who share their experience, strength and hope with each other that they may solve their common problem and help others to recover from alcoholism.

<https://www.wearewithyou.org.uk/> Withyou (formerly Addaction) is one of the UK's leading mental health, drug and alcohol charities.

<http://openroad.org.uk/> Empowering individuals, families and communities in their journey of recovery from the harmful effects of drugs, alcohol and other addictions.

# Appendix B: Responsibilities

Within the University, help is available from Personal Tutors/Academic Advisers, Student Support and Wellbeing and the Students’ Union.

**All students should be able to:**

* Access this Policy and supporting documents.
* Seek help if they have a problem.
* Encourage other students to seek help if they have a substance misuse problem.
* Access information about the effects of misuse and the impact such misuse may have on the quality of their own/others study/work ([https://www.medicalnewstoday.com/articles/effects-of-drug-abuse)](https://www.medicalnewstoday.com/articles/effects-of-drug-abuse%29).
* Alert an appropriate member of staff if any illegal activity observed or the health and safety of students is put at risk.
* Co-operate with any investigation of suspected misuse.

**Personal Tutors/Academic Advisers should:**

* Be aware of the Policy, procedures and services available as well as the referral processes for dealing with substance misuse problems.
* Ensure that students within their area are informed of the Policy and understand their responsibilities. This information should be included in induction.
* Be aware of the signs of substance misuse (see [https://www.helpguide.org/articles/
addictions/drug-abuse-and-addiction.htm](https://www.helpguide.org/articles/addictions/drug-abuse-and-addiction.htm)) and be prepared to refer as appropriate in accordance with University policy, guidelines and advice.

**Managers/Personal Tutors/Academic Advisers should ensure that:**

* There is no misuse of, or pressure to misuse, alcohol or drugs during University social functions or presentations. Provision of alcohol on these occasions should be moderate and plenty of non-alcoholic drinks should be available.
* Publicity for social events does not focus on alcohol or encourage its misuse.

**Students’ Union should:**

* Have their own set of procedures in place that complement those of the University (see Appendix G: UCSU Misuse of Drugs Policy).
* Offer information and advice concerning the services available to students who are experiencing substance misuse problems.
* Contribute to encouraging and promoting a sensible approach to drinking and prevention of drug misuse.
* Support and offer educational events, awareness campaigns and activities that promote health and wellbeing in conjunction with other departments.
* Ensure that student related policies reflect appropriate attitudes to substance misuse.
* Encourage a positive approach to health and wellbeing through sport and recreation networks and other activities.
* Apply the requirements as stated by licensing laws.

**Estate Management should:**

* Act as lead department in respect of the safety and security of all University sites.
* Act as lead department for the investigation of any drugs or alcohol related incidents involving students residing in University owned or managed accommodation.
* Notify and be the initial point of contact for external agencies (including the Police) for incidents in Halls of Residence and University Managed Properties.
* Provide first line pastoral support for students living in Halls of Residence and University Managed Properties and maintain discipline and good order.
* Provide the University’s out of hours support and response to students living in Halls of Residence and University Managed Properties.
* Liaise with other University departments, in particular, Student Support and Wellbeing, referring students as appropriate.
* Maintain professional and confidentiality boundaries, making these clear to students and operating them in relation to students’ rights under current data protection legislation (note exceptions due to risk/safeguarding issues) and observe the procedures and codes of the University.
* Inform student residents about the assistance available within the University and externally.
* Where appropriate, direct student residents with substance misuse related problems to particular Student Support and Wellbeing services.
* Liaise and communicate with other supporting bodies and agencies.
* Report and/or investigate substance misuse, particularly where legal or health and safety obligations are paramount.
* Apply the requirements as stated in licensing laws.

**Student Support and Wellbeing should:**

* Act as a confidential self-referral facility for students.
* Source, develop and make accessible information for students.
* Observe the procedures and codes of the University and also, where relevant, be bound by and responsible to the codes, ethics and practices of professional bodies such as the BACP (British Association for Counselling & Psychotherapy), Health and Care Professions Council (HPC) and the Nursing and Midwifery Council (NMC).
* Maintain professional and confidentiality boundaries, making these clear to students and operating them in relation to students’ rights under current data protection legislation (note exceptions due to risk/safeguarding issues).
* Have in place systems of referral to other agencies.
* Run an appointments and drop-in system which minimises waiting times and includes friendly, courteous and consistent reception.
* Provide suitable premises with a degree of seclusion and privacy.
* Develop awareness of the support available from the other services such as the Disability and Dyslexia Service, the Students’ Union, Accommodation officers and Security.
* Liaise with relevant departments particularly with Estate Management, sharing information as appropriate and in compliance with current data protection legislation,
* Monitor students’ needs and outcomes, and report back to the University in annual and other reports.

**Chaplaincy should:**

* Act as a confidential self-referral facility for students.

**Health and Safety Officers should:**

* Investigate accidents and incidents for signs of substance misuse and liaise with the relevant departments.
* Monitor risk assessments and working practices so that risks from substance misuse are included where appropriate, particularly in high risk or hazardous areas.
* Contribute to the development and facilitation of awareness-raising activities.

# Appendix C: Education and Prevention

The University will endeavour to increase awareness and understanding of alcohol and drug-related issues in a number of ways:

* The University and Students’ Union will produce publicity material to raise awareness, eg posters, leaflets, digital media.
* Training will be provided to relevant staff and student representatives, for example Student Support and Wellbeing staff and appropriate Accommodation staff including the Duty Manager. Security staff will also be consulted.
* The University will further develop its working relationship with Sussex Police in these matters and seek out partnership working with other external agencies.

Periodic educational campaigns will be organised by the University and Students’ Union warning students of the dangers of using such illegal substances.

The campaigns will include publicity by way of:

* Posters
* University website
* Students’ Union website
* Social Media
* Awareness seminars
* Localised initiatives.

See also Appendix H: Definitions - New psychoactive substances (NPS) (formerly known as ‘Legal highs’)? and Appendix I: What is drug treatment like?

# Appendix D: Procedure for dealing with substance misuse problems

**General**

* The University aims to provide a safe and secure living and social environment for its students.
* Early intervention can increase the likelihood of a positive outcome.
* Wherever possible, students with a dependency will be treated sympathetically, for example consideration would be given to a student attending support appointments.
* All information about the case will be handled confidentially and securely in accordance with current data protection legislation.
* In most cases, a factual and evidence-based record of actions and advice should be kept, including dates and names of individuals involved.

* For students in University accommodation the [Residential Code of Conduct](https://www.chi.ac.uk/student-life/accommodation/#accommodation-documents) includes the following:

1.4 Official disciplinary action may be taken against unruly and drunken behaviour or misconduct, and may be reported to the police.

6.1 The “Misuse of Drugs Act 1971‟ makes it an offence to possess, use or supply to other persons, any controlled drug. The Act also makes it an offence for the occupier of the premises or a person concerned in management of any premises to knowingly permit or suffer any of several activities to take place on those premises. The activities specified in the Act include smoking cannabis or cannabis resin, and supplying or attempting to supply a controlled drug to another person. The University, as a landlord, is obliged to comply with the Act and notify the police if a student is found to be in possession of drugs or to be supplying or producing illegal substances.

6.2 Staff, students and visitors are clearly required to comply with the law and therefore residents may not bring in or cause or allow to be brought into the accommodation any unlawful drugs or other such substances.

6.3 Anyone found using, supplying or producing illegal substances will face Disciplinary Action, may have their Licence Agreement terminated (on the grounds of misconduct) or face further action being taken under the University Student Disciplinary Code and Procedures, and will be reported to the police.

* In addition, the [Disciplinary Code and Procedures Related to Students in Halls of Residence](https://www.chi.ac.uk/student-life/accommodation/#accommodation-documents) specifies in section 4.2 Misconduct:

(r) Use of illegal or prohibited substance. This includes but is not limited to substances covered by the Misuse of Drugs Act 1971, Local Authority Bylaws and ‘legal’ highs such as nitrous oxide.

(t) Excessive consumption of alcohol resulting in severe intoxication that has the potential to endanger the safety of individuals and impact on the normal operation of the University.

The University does not condone excessive drinking of alcohol due to the social and health issues it can create. Students retain full responsibility for any actions deemed as misconduct whilst under the influence of alcohol or other substances possibly affecting behaviour patterns.

* If students permit substance misuse by someone else in their residential accommodation, they are committing a criminal offence under s8 of the Misuse of Drugs Act 1971.

*s8 “Occupiers etc. of premises to be punishable for permitting certain activities to take place there.*

*A person commits an offence, if being the occupier or concerned in the management of any premises, he knowingly permits or suffers any of the following activities to take place on those premises, that is to say:*

*(a) producing or attempting to produce a controlled drug in contravention of section 4(1) of this Act*

*(b) supplying or attempting to supply a controlled drug to another in contravention of section 4(1) of this Act, or offering to supply a controlled drug to another in contravention of section 4(1)*

*(c) preparing opium for smoking*

*(d) smoking cannabis, cannabis resin or prepared opium”*

This applies specifically to students who are living in University-owned Halls of Residence, or University Managed Properties.

* The University will also follow this approach in regard to new psychoactive substances being supplied, prepared and/or used on its premises and/or the misuse of prescription and/or over-the-counter drugs.

**Self-referral**

The University regards an individual’s dependency on either alcohol or drugs as a health problem. If the student reports the matter to their Academic Adviser or a member of the Student Support and Wellbeing team such as the Student Health Service or Wellbeing Services (see full list of contacts in Appendix A: Sources of Help, Advice and Guidance) and agrees a programme of rehabilitation, then the University will allow reasonable absences for advice and/or treatment as agreed absence.

There are strict processes to follow that may include agreeing to University access to medical evidence, completion of mitigating circumstances procedures, potential engagement with the Fitness to Study/Practise procedure and/or a period of intermitting from the course. Each case is unique and there will be no unnecessary disclosure of information and confidentiality will be respected within a risk-based framework. Students may decide to seek help voluntarily from their GP which remains a viable alternative option (see Appendix A: Sources of Help, Advice and Guidance).

Similarly, if a member of the University (staff or student) believes that a student has a substance misuse problem, including alcohol, they should encourage the student to seek advice or help. If they are concerned that the student is a danger to themselves or others it is recommended that a senior member of staff be informed (see the next section: D.1 Action to take when there is an immediate safety risk).

## D.1 Action to take when there is an immediate safety risk

As a result of a misuse problem (or for any other reason) a student acts in such a way as to endanger him/herself and/or others, the University will take corrective action to prevent injury/ damage or other serious risk. In this situation a dependency issue may be taken into account, but it will not exempt the student concerned from the normal consequences of his/her serious misconduct.

The manager/member of staff must immediately remove the student from the area of risk, interview them to investigate the situation and advise them of the consequences of their behaviour. Wherever possible these guidelines should be followed:

* Try to obtain a second witness.
* Do NOT attempt to tackle the situation alone.
* Confiscate any materials or equipment. All drugs and drugs related material should be seized, preferably by Security or an Estate Management member of staff, double bagged, tagged and locked in the Estate Management safe for collection by the Police.
* The member of staff should immediately notify the University emergency number 01243 81**6363** of the issue; which will be assessed in accordance with the University’s procedure for responding to emergencies (code blue). The call will normally be referred to the Head of Campus and Residential Services or the Accommodation Manager as appropriate.

If the student(s) are heavily under the influence of alcohol or drugs, they may need to be observed or referred to their doctor or emergency services; or they should be sent or accompanied home and arrangements made for an interview at the earliest opportunity. There may be a need to call Estate Management and Security for assistance.

If there were any witnesses, their statements must be taken as soon as possible, and an incident report should be completed. The Police must be called if there is a risk to the students involved or any other member of the University community.

The incident should be reported without delay to the Head of Campus and Residential Services and to the Head of Academic Department/Director of Institute.

If the incident took or is taking place on Students’ Union premises, the SU Duty Manager should be informed.

Students who witness substance misuse must refer the matter to a Security Officer or any other member of University staff.

## D.2. Management Action to take in cases of possession or supply of illegal drugs

Possession or supply of illegal drugs is a criminal offence. The Head of Campus and Residential Services or his representative must be notified immediately via the University Emergency number 01243 81**6363**. The University will report to the Police all incidents involving the supply or possession of illegal drugs on University premises as required by the Misuse of Drugs Act 1971 and may decide to take action, whether or not the authorities decide to prosecute. This is because the University retains the right to maintain discipline and to take disciplinary action where there is a clear breach of University Regulations due to substance misuse.

University staff should be aware that some allegations relating to substance misuse may be baseless or malicious and so must try to obtain corroborative evidence where practicable).

The Head of Campus and Residential Services will manage the incident and refer to the Director of Students, Support and Information Services as appropriate. For students living in Halls or University Managed Properties, the Head of Campus and Residential Services, following investigation will decide whether action should be taken under the [Disciplinary Code and Procedures Related to Students in Halls of Residence](https://www.chi.ac.uk/student-life/accommodation/#accommodation-documents). For non-residential students, a report will be submitted by the investigating manager (which will be the relevant Director of Institute/Head of Academic Department or the Head of Campus and Residential Services) to the Deputy Vice-Chancellor (or designate) who will consider whether a disciplinary hearing should be convened to further investigate the conduct of the student(s) concerned.

Where there is actual or suspected substance misuse by unidentified persons on University premises, a report should still be made to the Head of Campus and Residential Services and the Director of Students, Support and Information Services. A report should also be made to the Police and the crime reference number recorded.

In all cases, the offences will be recorded on the student’s file and be communicated to their academic department. This will apply regardless of whether the student or the offence was in University residential accommodation. The Head of Campus and Residential Services and the Director of Students, Support and Information Services will coordinate their work to ensure that such records are accurate and cumulative. These will be held in secure electronic form.

Except where the case is dealt with under the Disciplinary Code and Procedures Related to Students in Halls of Residence, the disciplinary procedure in the Academic Regulations Section 1, Part 12 ‘Procedures for Disciplinary Action against Students’ shall be followed.

**Finding drugs or drugs paraphernalia in communal areas**

* Drugs and suspect substances left in communal areas must be reported to Estate Management, who will remove the drugs and pass them to the Police for disposal if they are suspected of being illegal drugs.
* Drugs paraphernalia found in communal areas must be reported to Estate Management, who will notify the Police and arrange for its safe disposal.
* Prescribed drugs will be given back to the owner, or given to the Police if not labelled with the owner’s name.
* Equipment used for taking illegal drugs will be removed and disposed of.

Drugs that are left unattended are a risk to others - even if they are prescribed medicines. If staff find any suspicious substance unattended in communal or shared areas, they should report the matter to Estate Management who will remove it.

If the drug is or is suspected of being an illegal drug, it should be doubled bagged, tagged and handed to Police following agreed procedures. If the identity of the drug user is known, then they should be informed that the suspected drug has been given to the Police. If the substance turns out not to be a controlled drug and is returned to the University by the Police, it should be returned to the student.

Where the substance is a labelled prescribed drug it should be returned to the legal owner as soon as possible, whilst reminding them of their duties regarding storage of drugs.

**Action to take in cases of complaints about substance misuse in University Halls of Residence or University Managed Properties**

A person who feels they are affected by another’s substance misuse may report the matter to the Accommodation Manager or Head of Campus and Residential Services, who shall provide that person with a copy of this Policy. The complainant will also be invited to give a witness statement. The Accommodation Manager or Head of Campus and Residential Services (or nominee) will investigate the allegations. There will be liaison with the Student Support and Wellbeing team. If a complainant finds that the substance misuse by others is making it impossible, or unreasonably difficult, to continue living in the same accommodation, the Accommodation Manager will promptly send a copy of the Incident Report to the Head of Campus and Residential Services. The Head of Campus and Residential Services will appoint a member of staff to contact the complainant as soon as reasonably practicable to discuss options for resolving the matter. Alternative accommodation may be offered to the complainant as appropriate.

Following investigation, the Accommodation Manager or Head of Campus and Residential Services may take action under the [Disciplinary Code and Procedures relating to Students in Halls of Residence.](https://www.chi.ac.uk/student-life/accommodation/#accommodation-documents)

# Appendix E: Searching Student Accommodation

**Introduction**

The University Accommodation Team in liaison with the Students’ Union will promote a culture of zero tolerance to illegal drugs, following the spirit of the Crime and Disorder Act 1998 which states that all responsible authorities ‘need to do all that they reasonably can to prevent crime and disorder in its area’.

The University is committed to taking positive action in relation to any student found in possession of, supplying or using illegal drugs or misusing substances, alcohol or so-called legal highs (including “recreational gases”). This will include a student knowingly allowing their accommodation to be used for such purposes.

This action will include:

* Reporting the incident to the Police

and

* Sanctions under:
	+ the University Academic Regulations (*Section 1, Part 12: Procedures for Disciplinary Action Against Students*)
	+ the [Disciplinary Code and Procedures relating to Students in Halls of Residence](https://www.chi.ac.uk/student-life/accommodation/#accommodation-documents)
	+ the code of conduct for students living in halls of residence on campus, as specified in the [Handbook for Residents, the Residential Code of Conduct and the Student Residential Licence Agreement](https://www.chi.ac.uk/student-life/accommodation/#accommodation-documents).

and/or

* Referring a student as part of an agreed action plan (eg Fitness to Study) to a member of the Student Support and Wellbeing team and/or their GP or a drugs counsellor.

The treatment should be seen to be fair and equitable at the same time as acting as a deterrent to those involved and other members of the University. When dealing with these issues the maintenance of the good reputation of the University is paramount.

**Searching Student Accommodation**

The University regards it as paramount that student privacy is protected; however, there may be incidents or situations when immediate or urgent entry to student accommodation may be necessary. One such incident could be the suspicion of drug abuse.

[The Residential Licence Agreement](https://www.chi.ac.uk/student-life/accommodation/#accommodation-documents) 3.1.17 specifies that the student agrees with the University ‘to allow access to the room for inspection and maintenance by University staff or by duly authorised officers of the University at any time.’

In addition, under the [Disciplinary Code and Procedures relating to Students in Halls of Residence](https://www.chi.ac.uk/student-life/accommodation/#accommodation-documents) section 6.3 (vi), the Head of Campus and Residential Services, Accommodation Manager, or nominee can invoke an immediate room search to ascertain the evidential basis of the allegation surrounding possession/use of illegal substances.

In all such cases the University of Chichester agreed search procedures would be followed.

**Circumstances which might precipitate a search**

Accommodation officers, Residential Services staff and other Accommodation and Security staff will get to know the students living in University accommodation and may develop an ability to note behavioural changes in these individuals. The following emotional/ behavioural signs might indicate that a student is using drugs (see also <https://www.helpguide.org/articles/addictions/drug-abuse-and-addiction.htm>):

1. sudden, regular and marked mood swings
2. uncharacteristic aggression
3. withdrawal from activities which have seemed to be important
4. changes in eating patterns and loss of appetite
5. Lethargy and sleepiness including spending long periods in bed.

Staff may also suspect the involvement of drugs where an unusual aroma is noted e.g. cannabis being smoked gives off a distinctive sweet herbal smell. In the case of drug dealers an excessive number of visitors remaining for a very short period of time may indicate nefarious drug activity.

**Items to be regarded as potentially suspicious**

The following items may also indicate the use of drugs:

* scales (laboratory style) used for weighing drugs
* small polythene self-sealing bags used for packaging
* small glossy surfaced magazine pages used for packaging
* excessive quantities of Rizla cigarette papers
* pocket knives or other knives used for cutting cannabis
* small pieces of cardboard. When cannabis is smoked it burns “hot” which can affect the lips and throat. Cardboard is therefore used as a makeshift filter tip to protect the lips and fingers
* home-made pipes are used for smoking cannabis by passing the smoke through water to cool it

**Relevant legislation reference guide for use by those involved in a search**

* **Possession of a Controlled Drug – Section 5 Misuse of Drugs Act 1971***It shall not be lawful for a person to have a controlled drug in their possession [except on a valid prescription].*
* **Possession of a Controlled Drug with intent to supply to another/others - Section 5(3) Misuse of Drugs Act 1971***It is an offence for a person to have a controlled drug in their possession, whether lawfully or not, with the intent to supply it to another who has no legal right to possess it. [supplying can be giving and no money needs to change hands].*
* **Supplying a Controlled Drug – Section 4 Misuse of Drugs Act 1971***It shall not be lawful for a person to supply or offer to supply a Controlled Drug to another [supplying can be giving and no money needs to change hands].*
* **Allowing premises to be used – Section 8 Misuse of Drugs Act 1971***A person commits an offence if, being the occupier or concerned in the management of any premises, they knowingly permit or suffer activities, including the following, to take place on those premises*:
* *Producing or attempting to produce a Controlled Drug*
* *Supplying or attempting to supply a Controlled Drug*
* *Preparing opium for smoking*
* *Smoking cannabis, cannabis resin or prepared opium.*
* **Producing and Supplying a Psychoactive Substance – Psychoactive Substances Act 2016:** *It is an offence to produce, supply, offer to supply, possess with intent to supply, possess on custodial premises, import or export psychoactive substances.*

# Appendix F: What are the UK drug laws?

The DrugWise website gives a good overview of the main drug laws including the Misuse of Drugs Act (1971), the Medicines Act (1968) and the Psychoactive Substances Act (2016) as well as reference to other relevant legislation:

<http://www.drugwise.org.uk/what-are-the-uk-drug-laws/>

# Appendix G: UCSU Misuse of Drugs Policy



**UCSU Drugs Policy**

1. All staff to be trained in signs of drug use/supply within customers.
2. Security Supervisors are permitted to search patrons with consent upon entry to the venue in accordance with the Search Policy, if Consent is not given the patron will be refused entry.
3. Persons who are believed to be under the influence of illegal substances will be refused entry to the venue and details entered onto refusal/ejection log.
4. During busy evenings, SIA registered Security staff will do a Pre entry check of the building checking for signs of drugs/ or supply within the venue. SIA staff, Duty Managers/Supervisors will monitor the bar and venue for signs of drug use and/or supply throughout the event. On quieter nights when we do not have SIA registered Security staff on duty, Duty supervisors have been trained to check the venue for signs of drug use/supply before and during the event.
5. If any person is found in possession of any illegal substance upos entry or within the venue, the police will be notified and their details will be logged in the refusal/ejection log, along with any action taken.
6. If it is felt a person is under the influence of an illegal substance, they will be taken to the first aid area to be assessed, then may be asked to leave. If the person becomes unwell then they should be advised to go to hospital or in extreme cases an ambulance should be called.
7. Every reasonable effort will be made to ensure person who may be affected do not leave the venue by themselves.
8. If there is any sign of repeated drug use by a patron or we are made aware of a patron having a problem with drug use, their name should be forwarded to the University Student Support team to enable them to make contact with the patron and offer assistance.
9. Any drugs found on the premises will be logged in the Drugs Log by the Duty Manager/Supervisor. All substances will be placed into an evidence bag and locked away in the Management Safe until collection by the police

Copies of all Bar Policies are available upon request from a member of the Bar Management Team.

# Appendix H: Definitions

## Controlled Drug and Possession

The principal offences relating to the misuse of controlled drugs are contained in the Misuse of Drugs Act 1971 (“the Act”). The primary objective of the Act is the control of the use and distribution of dangerous and harmful drugs.

**Controlled Drug** - Any substance or product for the time being specified in Part I, II, or III of Schedule 2 to this Act.

This Schedule provides a list of drugs and substances that are controlled by law. The list is constantly being updated, but includes certain anabolic steroids, cannabis, heroin, amphetamine, ecstasy etc.

The full current list can be seen at: <http://www.legislation.gov.uk/ukpga/1971/38/schedule/2>

**Possession** - Proof of possession can be difficult, especially where the drug has not actually been found on the defendant but in a room or car, with which he/she has some association. Generally, proof of possession depends upon:

* actual physical possession
* knowledge.

In addition:

* a person should have possession of the substance rather than mere control
* a person cannot be in possession of something of which he is completely unaware
* mistake as to quality is no defence.

## New psychoactive substances (NPS) (formerly known as ‘**Legal highs’)**

**What are NPS?**

New psychoactive substances (NPS), formerly known as ‘legal highs’, are substances designed to produce the same, or similar effects, to drugs such as cannabis, cocaine and ecstasy, but are structurally different enough to avoid being controlled under the Misuse of Drugs Act. In the past they were often sold in the shops as research chemicals and advertised as ‘not for human consumption’ to get around the law. In some cases, NPS are just as dangerous as controlled drugs.

**What is their Legal Status**

The UK Psychoactive Substances Act, which banned NPS, came into effect on the 26 May 2016. This legislation makes it an offence to produce, supply, offer to supply, possess with intent to supply, import or export (including over the internet) any psychoactive substances.

Possession of a psychoactive substance is not an offence, except in a ‘custodial institution’ such as a prison or young offender institution.

Products such as nicotine, alcohol, caffeine, food and medicinal products are exempt from the Act. The Home Office has also said that “Poppers” or alkyl nitrates do not fall under the Act.

Supplying NPS to someone else, including your friends, or buying them from internet sites based abroad to be delivered here, can mean you can get a prison sentence and/or a fine. The maximum custodial sentence available in a solemn prosecution under the Psychoactive Substances Act 2016 is 7 years.

The legislation gives powers to law enforcement to take action against all suppliers of NPS. There are provisions for civil sanctions, prohibition notices, and prohibition orders to enable the police and local authorities to adopt a proportionate response.

The Act doesn’t replace the Misuse of Drugs Act (1971) so laws around existing illegal (controlled) drugs will remain the same.

## Drug Driving

It is against the law to drive under the influence of illegal drugs, or if you have certain drugs above a specified level in your blood. Similar to drink driving, the police have a roadside test that makes it easier to detect those who are driving under the influence of illegal drugs. If you are caught and convicted, you could face a driving ban, large fine and a prison sentence.

**Changes to the drug driving law**

On 2 March 2015, the drug driving law changed to make it easier for the police to catch and convict drug drivers. Under Section 5A of the Road Traffic Act 1988 it is now an offence to drive with any of 17 controlled drugs above a specified level in your blood. The limits set for each drug is different, and for illegal drugs the limits set are extremely low, but have been set at a level to rule out any accidental exposure (i.e from passive smoking).

Officers can test for cannabis and cocaine at the roadside, and screen for other drugs, including ecstasy, LSD, ketamine and heroin at the police station. Even drivers that pass the roadside check can be arrested if the police suspect that your driving is impaired by drugs.

# Appendix I: What is drug treatment like?

The Talk to Frank website has a helpful guide on drug treatment:

<https://www.talktofrank.com/get-help/what-is-drug-treatment-like>