

Students, Drugs and Substance Abuse Policy

1. Purpose

This policy statement sets out Leeds Trinity's *position of zero tolerance* to illegal drug use by students and apprentices on campus or related locations other than workplaces.

The policy is intended to provide clarity to students and prospective students in the context of the student contract and terms and conditions, to inform others of the University's position and approach and to set out custom and practice in operation.

There are three elements to the University's approach: health and safety; legality and criminality; reputational damage to both the University and to innocent residents and peers.

2. Legal Underpinning

This policy responds principally to the Misuse of Drugs Act (1971), still the primary legislation, which prohibits the possession, creation, sale or free supply of controlled drugs. The Act classifies controlled drugs in a now familiar scale: Class A drugs include heroin, cocaine and ecstasy; Class B drugs include cannabis and ketamine; Class C drugs are predominantly tranquillisers and pills. Substances prepared for injection may be escalated. Possession of some drugs may be legal if prescribed.

Students should note that the University itself is liable to criminal prosecution if it permits the possession (etc) of controlled drugs on its premises. Accordingly, the University is impervious to protestations that recreational drug use is "normal" amongst students or young people and that the police "are not interested".

In addition, the University is mindful that students on professional courses, requiring safeguarding and DBS checks, are particularly vulnerable to being caught up in allegations of illegal drug use. Accordingly, it will seek to protect individuals by vigorously pursuing the facts of the case.

Additional legislation covers new psychoactive substances (NPS, formerly "legal highs", no longer legal).

Note that nitrous oxide (laughing gas) is not illegal but is potentially harmful to individuals on consumption and through explosion of canisters (which has led to bans at festivals, for example). On these health and safety grounds, nitrous oxide capsules are banned from campus, including halls, and disciplinary action may be invoked. Evidence of large-scale use, for example after a party, presupposes supply which is a criminal offence and appropriate action will follow.

3. Scope

Leeds Trinity will follow up reports of incidents and may liaise with the police and take disciplinary action under the Student Conduct & Discipline Code as a result of reports extending to any place to which a student has access by virtue of his/her status as a student. This would include field trips, placements, school-based training and study abroad. University and external security staff remit extends to all Leeds Trinity premises, (including those of the Student Union).

The University will not, of itself, investigate allegations relating to workplaces of apprentices or other students such as foundation degree students in employment elsewhere. However, it may deem it appropriate to relay reports or concerns to relevant persons.

4. Policy Statement

Leeds Trinity will:

- in consultation with the Students Union, facilitate dissemination of expert health education information about the effects of drug and substance abuse;
- seek to support students reporting concerns about peers and fellow residents and students seeking or open to advice on their drug and substance habits and consumption. Matters raised in counselling remain confidential, subject to ethical and legal guidelines on imminent harm, etc;
- provide a drugs amnesty safe for the disposal of drugs with no questions asked and arrange for the regular collection of material by the police;
- take appropriate investigative and disciplinary action against students alleged to have committed possession (and more serious) offences under the Misuse of Drugs Act (1971). This may include referral to the Student Disciplinary Panel and to the police;
- never seek to prevent anyone making allegations to the police.

5. Educational and Preventative Measures

Student Support, in consultation with the Students' Union, will facilitate awareness-raising among students and staff of the Student Drugs and Substance Abuse policy, the dangers of drugs consumption and current external support agencies.

The University will provide training and support to key staff groups, e.g. security, domestic services staff, student support and resident mentors.

The University will guide students seeking help to expert agencies for addiction and abuse. As a measure of last resort, the University may invoke the non-disciplinary Fitness to Study Procedure in order to protect individuals from their own or others' behaviour.

6. Reporting, Investigation and Disciplinary Procedures

Incidents, ranging from smelling weed to allegations of dealing, will be recorded on incident report forms which are reviewed every working day by a range of staff. All incident forms referring to drugs will be copied to a separate file for regular review by visiting police officers.

Incidents which warrant further investigation will be referred to the Director of Student Services and appropriate investigative measures taken.

The DSS will decide whether matters should be dealt with by interviews and warning letters or referred to the Student Disciplinary Panel or referred directly to the police. Where there is reasonable suspicion, attribution or identification and/or evidence, the DSS will consult as appropriate and notify the police.

However, the University will take disciplinary action as it sees fit regardless of police referral not least because it is debatable whether the University would be informed of the outcome of any police action. The University may take disciplinary action regardless of any court acquittal and the Student Disciplinary Panel may determine that, in addition to external sanctions, names are referred to the police.

7. Police contact & powers

Student Support will advise students or staff wishing to make an allegation to the police of possession of controlled drugs against a student. Legally, individuals cannot make allegations on behalf of anyone else.

Regular police contact with the institution is through Student Support *primarily* and/or Security. Police are able to enter student rooms with a warrant, the agreement of the student concerned, if an individual is known to have a previous recorded offence or in accordance with the Police & Criminal Evidence Act 1964, code B.

8. Policy Location and Review

The policy will be available online, in hard copy for resident mentors, within Student Support Central Office, the Student Union and at the Security base.

The policy will be reviewed triennially by the Director of Student Services (or nominee).

Date: June 2018

Review Date: June 2021