

POLICY ON DRUGS & OTHER DANGEROUS SUBSTANCES

1. SUMMARY AND OVERVIEW

- 1.1 Our University has a legal duty to provide a safe environment for all students and staff. We take this responsibility very seriously and we are working hard to reduce the use and impact of drugs and other dangerous substances on campus or in University accommodation.
- 1.2 In line with the General Regulations for Students of the University, this policy is based on the best interests of the whole of our community, students, staff, families and friends, as well as those who live locally. It is appreciated that the great majority of us do not get involved with drugs or drug abuse. We want to keep it that way.
- 1.3 While it is our primary aim to minimise harm it is important to note that the possession, use and supply of drugs and some other substances is a matter of law.
- 1.4 For clarity, it is an offence to:
- (i) Possess a controlled substance illegally;
 - (ii) Possess a controlled substance with intent to supply;
 - (iii) Supply or offer to supply a controlled drug or so-called 'legal high' (even if it is given free);
 - (iv) Allow a home, flat or office to be used by people taking drugs.
- 1.5 When drugs are found on campus they are passed to the Police who then decide what action to take. Anyone suspected of dealing will be reported to the Police. Equipment related to the use of drugs is confiscated.
- 1.6 Convictions related to the use or possession of drugs can have serious consequences for future careers.
- 1.7 The University will continue to develop its strategy to reduce, and hopefully eliminate, drug use and its consequences in our community and will use a range of educational and supportive tools, as well as the application of penalties to help us achieve our goals.
- 1.8 The University has a range of penalties which are outlined in the Policy. It is also common to refer those found in the possession of drugs to be asked to undertake appropriate counselling. Where evidence of drugs is found you will be asked to meet with the Student Conduct Manager to discuss the issue.
- 1.9 The Student Welfare and Student Conduct Manager teams are here to help to improve the environment for the majority and with that in mind are available to discuss any concerns that you may have.

2. POLICY

Purpose and scope

- 2.1 The University seeks to minimise the harmful effects of drugs and this policy is based on the principles of education, care and effective management.
- 2.2 The policy recognises the importance of maintaining a safe environment for all members of the University and that the possession of or dealing in illegal drugs and some other substances is a criminal offence.
- 2.3 Drug abuse may have a serious adverse effect upon any individual's wellbeing.
- 2.4 This policy relates to all students of the University.

Legal Background

- 2.5 This Policy is necessary in order to ensure the University's compliance with the Misuse of Drugs Act 1971, as amended by subsequent legislation, and the Psychoactive Substances Act 2016 (this relates to so-called 'legal highs'). The University's duty to uphold the law may require the University to report students to the police.

Discipline

Dealing in Illegal Drugs

- 2.6 Dealing (selling or supplying) in illegal drugs or so-called 'legal highs' is not only a criminal offence but is also regarded as an **extremely serious breach** of the University's disciplinary regulations (see Rule 7.9 of the General Regulations for Students of the University) under which appropriate action shall be taken, in addition to any penalty imposed by the criminal law.
- 2.7 University staff or students having clear evidence that any student, member of staff or any other person is dealing in illegal substances, or similar, should report that student to Security and the Senior Tutor's office as soon as possible. All such reports will be treated in the strictest confidence.
- 2.8 A student suspected of dealing in any illegal substances shall be reported to the police. The University will presume that a student is dealing or supplying if that student is in possession of equipment, materials or paraphernalia suitable for recording drug-related transactions and/or distributing to others. The Student Conduct Manager may recommend to the Vice-Chancellor (pending further investigation and/or outcome of criminal proceedings), the immediate suspension or expulsion from the University of a student believed to be dealing or supplying illegal drugs (see Rules 7.9 and 9.6 of the General Regulations for Students of the University).

Possession of Illegal Drugs

- 2.9 The ultimate sanction for a student in possession of illegal drugs or other prohibited substances is suspension or expulsion from the University (see Rules 7.1 and 9.6 of the General Regulations for Students of the University).
- 2.10 However a student may be permitted to continue his/her studies, but shall be required to undertake and to engage with an appropriate course of medical treatment and/or programme of counselling (see Regulation 7.4 of the General Regulations for Students of the University). Treatment and/or counselling may include periodic testing for drugs.
- 2.11 A fine (paid to the student hardship fund) will usually be levied.
- 2.12 Repeat offences will not be tolerated.

Violent and/or Dangerous Behaviour

- 2.13 The University will not tolerate any drug-related behaviour on the part of any student that endangers the health, safety or wellbeing of other students, staff or University property. All such incidents will be considered as **serious breaches** of the University's disciplinary regulations.
- 2.14 Being 'high' is no defence against breaches of University rules. Disciplinary action will normally include exclusion from some or all University premises and University events.
- 2.15 Repeat offences will not be tolerated.

Evidence of the possession or use of drugs or similar substances

- 2.16 Where evidence of drug or substance use (including paraphernalia, which is not permitted on campus even if in an unused condition) is found in a student's room or in a student's possession, that student may be given notice to quit University accommodation and be liable to immediate expulsion from the University. A student may also be banned from entering the Tanlaw Mill and/or attending University-organised social events. The Student Conduct Manager may also report the student to the police.
- 2.17 Repeat offences will not be tolerated.

Suspected use of illegal drugs

- 2.18 A member of University staff having reason to believe that any student is using illegal drugs, should advise that student to seek appropriate help from the Student Welfare Department, refer the student to the Student Conduct Manager and inform the student that they are doing so. Students will meet with the Student Conduct Manager to discuss the issue. Students referred in this manner and who live on University property may be subject to room searches.

'Legal Highs'

- 2.19 A so-called "legal high" is *anything that can be used like a drug* but which is not actually banned by UK law. Often, the Government will be taking action to ban the substance in question. However, in the interests of student welfare, the University reserves the right to ban any substance from the campus and to treat possession as a very serious disciplinary offence, regardless of whether or not it is currently illegal to have that substance in your possession. The burden of proving that anything suspicious is not unlawful shall rest with the student (e.g. to produce a prescription for tablets if these are regarded as suspicious). The University will treat possession or supply of Nitrous Oxide, Synthetic Cannabinoids or synthetic derivatives of Cathinone (and other similar substances) in the same way as the possession or supply of illegal drugs.

3. PROCESS

Searches

- 3.1 Members of Accommodation, Student Welfare and Security staff (including contract staff where appropriate) have authorised right of entry to student rooms. The University will then exercise its right to search a room and will confiscate and record any evidence of involvement with drugs or similar substances. Confiscated drugs will immediately be passed to the police with details of the individuals involved. Other material / paraphernalia will be confiscated and may be passed to the police, or destroyed.
- 3.2 Searches by authorised staff may include the use of a 'drug dog' and other means of detecting drug use, such as the use of swabs. Clothing and/or bags and vehicles may also be subject to search anywhere on campus or other University property if there is reason to believe evidence of drug use or possession may be found. Remember: you are responsible for the contents of your room, bag or clothing, or vehicle.
- 3.3 Any suspected use or possession of drugs or similar substances will be reported to the Senior Tutor.

Meetings and interviews with the Senior Tutor

- 3.4 All meetings with the Student Conduct Manager will be documented and copies of notes taken provided.
- 3.5 Students are entitled to attend the meeting alone, or with a friend (a fellow student), or their Personal Tutor.
- 3.6 Disciplinary action will be in accordance with the General Regulations for Students of the University, relating to Student Behaviour, in particular Rules 7.1, 7.9 and 9.6.

- 3.7 Fines levied under the disciplinary process will be paid to the Student Hardship Fund.
- 3.8 At this point the Student Conduct Manager may recommend or require further treatment and will forward details to the Student Welfare team.
- 3.9 Repeated failure to engage with any part of this process will result in recommendation of suspension / expulsion.

4. EDUCATION

- 4.1 The University is committed to raising awareness of the possible consequences to health of the use of illegal drugs and other substances, including prescribed drugs and alcohol. So-called “legal highs” (anything which can be used like a drug) may be extremely harmful and may therefore be banned from campus (see above). The Student Welfare Department can also direct students to specialist advisory services such as the local Community Drug & Alcohol Team and FRANK (www.talktofrank.com). Specialist advice and information available to students covers; the adverse effects of drugs and other substances; the types of drug students may encounter and their associated dangers; skills to enable students to cope with social pressures and avoid personal involvement in drug use.

5. CARE

- 5.1 The University may recommend (or require) that students approach the University Surgery and/or the local Community Drug Advice Team for assistance. Appointments can be made through the Department of Student Welfare. Students can be assured of confidentiality when making appointments and dealing with this service, however all students should be aware that pro-active and positive engagement with support services will be required if a student is to be permitted to continue the degree programme.
- 5.2 Treatment arranged by or with the consent of the University will take precedence over academic work other than assessments and exams and will be considered as authorised absence by schools of study.
- 5.3 Students who are actively seeking assistance in dealing with mental health issues related to drug abuse will receive encouragement and support, subject to:
 - i) The law governing the possession, use and supply of controlled substances;
 - ii) The University’s policy on drugs and other dangerous substances ;
and
 - iii) The University’s Mental Health Policy
- 5.4 A student requiring an absence from the University, for the appropriate medical treatment of any issue, will be given advice and support in making suitable arrangements for the continuation of studies. Provided the student keeps the School of Study informed concerning progress, as confirmed by an appropriate

agency and/or GP, the absence may be treated as authorised for the purpose of assessing examinations, coursework and the maintenance of visa sponsorship. Students may be required to undergo medical testing before being re-admitted to the University.

- 5.5 A student who unreasonably fails or refuses to undertake appropriate treatment/counselling may be liable to immediate expulsion from the University (see Rule 9.6 of the General Regulations for Students of the University).

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