



Maleny Independent School

Alcohol, Tobacco & Illicit Drugs Policy

Purpose:	The purpose of this policy is to prevent the possession, use, sale and distribution of alcohol, tobacco and illicit drugs and related implements by learners while attending school or at a school-related activity.	
Scope:	This policy applies to employees, volunteers, parents/carers and learners and to all Maleny Independent School (MIS) activities, including MIS social events, camps, excursions and sporting events in which the school may participate. Students travelling away from school on official school activities are automatically covered by the policy. The policy outlines the rationale, the responsibilities of all stakeholders and the procedures for dealing with drugs, prescription, legal and illegal, at MIS.	
Status:	Approved	
Authorised by:	Angie Kelly, Principal	Date of Authorisation: 6 Feb 2020
References:	<ul style="list-style-type: none"> • <u><i>Tobacco and Other Smoking Products Act 1998 (Qld)</i></u> • <u><i>Liquor Act 1992 (Qld)</i></u> • <u><i>Australian Privacy Principles</i></u>. 	
Review Date:	Every 2 years	Next Review Date: 6 Feb 2022
Policy Owner:	Principal	

Definitions

For the purposes of this policy, a drug is defined as ‘any substance that affects physical or mental functions’. As such, drugs include a range of materials, many of which are legal in our culture although prohibited from use at school. These include alcohol and tobacco products.

Policy Rationale and Objectives

The primary objective of this policy is to provide for a school environment free of drugs, whether the drugs in question are legal or illegal. The following values underpin all that follows in the policy and may need to be referred to when the policy itself is unclear in its application to one of the many situations, which may arise. Every learner has the right to come to school to learn in an atmosphere free from the distractions and dangers imposed by drug use. Parents have the right to expect that their children will be educated in an atmosphere free from the distractions and dangers imposed by drug use.

It is the responsibility of the school to ensure that the rights of learners and parents are respected in this matter. The school acknowledges that it shares responsibility with parents and the wider community to provide learners and parents with factual information on drug abuse and advice on the legal questions surrounding the use of drugs. The values underpinning the School’s Drugs Policy are:

1. The school acknowledges that it shares with parents and guardians, responsibility to inform learners of the best ways of resisting pressures to become involved in drug use and experiences to build their self-esteem to the level where they feel confident to make informed decisions for themselves.
2. The school commits itself to deal compassionately with learners who become involved in situations of illicit drug use but such treatment must always be given within the context of due regard for the needs and rights of the whole school community.
3. The school commits to work closely with the police and welfare agencies in this matter and with other secondary schools, which face common problems in this area.
4. Experience suggests that learners who divulge information to staff of the school on drug matters sometimes do so at considerable risk to themselves. The school commits itself to the protection of learners who have the courage to assist the school community in this way.
5. It is the responsibility of the Principal to advise the Board on the formulation of policy and the responsibility of the Board to support the school in the difficult decisions it may be called upon to make in these matters.
6. Staff share with parents the responsibility for modelling appropriate drug usage both in and out of school. Staff accept that they are under an obvious professional obligation to set an example to their learners in this matter.
7. Although this policy refers directly to drugs, it also, by extension, applies to the implements involved in the use of drugs. Such implements indicate an intention

to use the prohibited drug and will attract penalties consistent with the use of drugs at school.

Policy – Prescription Drugs

From time to time parents may request that members of staff administer prescribed medication during school hours. All such requests must be referred to the Principal. If the Principal agrees that the situation requires supervised administration of medication the following procedures are to be followed:

1. The learner's parents must make a written request to the Principal including instructions for administration of the drug, and any special needs of the learner.
2. The Principal will authorise a staff member to administer the medication.
3. Only the designated member of staff has this authority.
4. The designated member of staff must ensure that all medication is in a container labelled by a health care professional or pharmacist, showing:
 - a. The name of drug
 - b. Use by date
 - c. Name of medical practitioner prescribing the drug
 - d. Name of learner
 - e. Dosage
 - f. Frequency of administration.

Medication that is not labelled must not be administered.

5. Non-prescription medications, such as analgesics, are not to be administered by school staff unless the relevant parent permission has been checked with office staff. Students must be supervised when consuming medication and dosage details entered into learner's medical notes. Drugs to be administered in the office.
6. All medication is to be kept in a lockable cabinet in the office.
7. An official register on the Administration of Drugs to learners is to be kept by the office.
8. Parents are to be notified in writing of the school's policy including the requirement that the school takes no responsibility to ensure that medication is not out of date or that sufficient quantities of the medication are provided.
9. The designated member of staff is to return all unused medication to parents when the parents inform the school in writing that medication is no longer needed or it is past the use-by date.
10. If a staff member becomes aware that a learner has possession of a medication without written advice from a parent, or the parent's advice is inconsistent with the medical instructions provided, he/she should confiscate the medication, store it securely and notify the Principal. The Principal or designated member of staff will contact the parents.

Policy – Legal drugs

There are clear legal sanctions governing the sale to and use of alcohol and cigarettes by minors. These legal sanctions apply at MIS as in the rest of the community. It is, therefore, the school's policy that use of cigarettes and alcohol is banned on all school property and at school functions, activities or excursions where learners are involved. In formulating the policy, the following has been considered:

1. Work Health and Safety legislation places a duty of care on the employer to provide a safe working environment.
2. It is not unlawful or discriminatory for an employer to ban or restrict smoking or use of alcohol on school premises or at school related activities.
3. Smoking is now banned in most states in enclosed public spaces.
4. It is illegal to supply cigarettes or alcohol to children less than 18 years of age.
5. It is illegal for persons under the age of 18 to purchase cigarettes and alcohol.
6. An employer may be held liable for illness resulting from passive smoking.
7. Most non-government schools in Queensland have a complete ban on smoking on school premises and at all school functions where learners are involved, and most schools restrict the supply of alcohol at school functions.

The following applies in relation to the use of alcohol and cigarettes on school property or at school functions:

1. Students are prohibited from using alcohol and/or tobacco on school property or at school functions and activities.
2. At school/school functions where alcohol is served, it is the responsibility of accompanying parents and the school to see that the school policy and the law are observed.
3. Students who use alcohol at school or at a school activity will face the following consequences: counselling; involvement of parents; and other penalties depending on the nature of the offence. These penalties could involve withdrawal from school activities, for example. In most cases, a disciplinary period from school would be appropriate.
4. Staff at school camps and excursions will refrain from drinking alcohol or smoking. This observation is in keeping with the legal duty of care incumbent on all school staff and with the acknowledged need to model appropriate behaviour for learners.
5. In this policy, glue, solvents and other inhalants will be treated in the same way as alcohol. That is, their use at school is prohibited and their use will attract similar consequences.
6. The school undertakes to develop as part of its curriculum, information for learners on the responsible use of alcohol and the dangers of tobacco use.

Policy – Use of Illicit Drugs

All school employees have legal and professional responsibilities to respond to information about, and incidents involving, learner use or possession of illicit drugs at school or during school activities. An essential aspect of dealing with the use of illicit drugs is recognition of the fact that even though learners may become involved in unlawful activities, they retain certain rights as citizens. These include the right not to divulge information that may incriminate themselves or others; the right to have a legal guardian present; and the right to refuse a search of their possessions or person. However, learners and staff should be aware that possession, use and sale of drugs, and possession of implements related to drug use, is illegal and, in most cases, the police will be called if a learner is found in possession of or using an illicit substance at school.

Responding to an Incident of Illicit Drug Use

Before the Incident the school will:

1. Include information about drug abuse and decision making as part of the school's Life-ready Skills/Health and Physical Education programs.
2. Ensure staff on playground duty are vigilant and aware of this issue. This includes providing in-service so they are able, for example, to recognise objects commonly used as bongs.
3. Inform learners, parents, staff and the police of the school's drug policy.
4. Build on trust between learners and all staff.

During the Incident:

1. The Principal is to be informed and briefed on all drug or suspected drug incidents immediately.
2. Once the school has established that there is a drug incident, the Principal will inform the parents of the learner/s concerned immediately.
3. Where a number of learners are involved, learners are to be isolated as much as possible from one another during the school investigation. This will make it easier to arrive at the truth.
4. Schools have a limited capacity to search learners and their property. Unless given permission by the learner, school authorities cannot search their possessions for suspected illicit drugs. School authorities do not have the right to do a body search of a young person. Given this caution, it is better to call the police whose responsibility in this area is much clearer.
5. Because of the seriousness of this kind of incident, investigation of an incident involving illicit drugs should be conducted by the Deputy Principal or Principal wherever possible, and with another member of staff present to take notes of the questioning.

6. Accurate record taking is crucial and the writing up of clear and direct records of the incident is to occur as soon as possible after the matter has been investigated. Relevant information is to be placed in learner notes in their file. Drug incidents will also require Incident Reports to be completed for further review and investigation.
7. The Deputy Principal or Principal will inform the relevant staff as soon as possible after the incident, provided in so doing they are not breaching any aspects of the Privacy Act. Consideration of whether or not it is appropriate to inform parents and learners, particularly if the incident has been mentioned in the media, is the decision of the Principal, in consultation with the Board Chair.
8. If police are called to the school, school staff are expected to respect the responsibility of the police as they conduct their investigation. Police have considerable discretionary power when dealing with juveniles and have shown themselves to be resourceful and compassionate in handling matters of this kind. Students and the whole school community benefit when police and the school work closely, sharing information and openly seeking the same goals.
9. In investigations where drugs have been seized they must be locked away in an assigned lockable cabinet and handed over to police within 24 hours of seizure. Note: in implementing the school's drug policy consideration must be given at all times to protecting the privacy of individual learners, and their families.

Minimising Illicit Drug Use

In order to minimise illicit drug use, the school will:

1. Advertise widely that illicit drug use, possession and supply in the school is unacceptable and, when detected, will result in serious consequences, including police and parental involvement.
2. Reinforce the unacceptability of illicit drugs in schools by consistently carrying through on stated actions.
3. Identify consequences and apply them consistently and fairly to users and suppliers.
4. Establish an environment in which all school community members have enough care and concern for each other that they will confidentially pass on information about people using, carrying and/or selling drugs.
5. Use police cautioning processes where possible and utilise reintegration processes such as community services, where appropriate.
6. Implement education programs that reinforce consequences of having illicit drugs at school.
7. Ensure that detection and deterrent processes are maintained and sustained.
8. Inform the whole community about the processes, possible consequences and potential outcomes of being found with drugs at school.
9. Review and evaluate strategies and procedures regularly and revise them as required.