

Procedure adopted to Review Drugs Education Policy

- On 11th February 2015 a letter was sent out to parents inviting them to assist in the review of our Drugs Education Policy
- Teachers review/amend Lines of Development for Drugs Education
- 26th February 2015 – sent out current Drugs Education Policy with accompanying P1 – P7 Line of Development to parents engaging in the review. Parents were asked to complete a questionnaire as part of the review.
- 9th March Strategic Leadership Team summarised parental responses from questionnaire producing a summary response sheet.
- Board of Governors had been emailed Policy. At their meeting on.....Governors were informed of parent responses and debated inclusions/comments. Policy was passed by meeting.
- Baker Day August 2015 – Teachers were familiarised with amended Policy and the procedures to be adopted during a drugs related incident as outlined in the appendices.
- Friday 28th September - All non-teaching staff were made aware of the policy, practices and procedures
- Parents notified that new Drugs Education Policy had been placed on the school's web-site.



DRUGS EDUCATION POLICY

Alcohol and drug abuse and their related harms, cost our society hundreds of millions of pounds each year. However, this financial burden can never fully describe the full impact that substance misuse has had on many vulnerable individuals, including children and young people and families in Northern Ireland. Alcohol and drug misuse have therefore been identified as significant public health and social issues in Northern Ireland over many years and they continue to be a key priority.

New Strategic Direction for Alcohol and Drugs – Phase 2
Department of Health, Social Services and Public Safety. December 2011

Drugs Education Policy

Introduction

a) Ethos

In Ballydown Primary School and Nursery we aim to provide the best educational experiences, enabling each child to develop intellectually, physically and socially whilst encountering a happy, secure, stimulating environment.

Ballydown is a school where children :-

- enjoy a happy, secure learning environment
- encounter a broad, balanced and differentiated curriculum
- have stimulating and challenging experiences
- are given opportunities to develop their independence, confidence and initiative
- experience a supportive atmosphere developing self-esteem, mutual trust and respect, exemplifying a strong sense of wellbeing for all.

b) Rationale

From September 1996 it has been a statutory requirement for all schools in Northern Ireland to:

- have a drugs education policy and publish it in their prospectus;
- teach drugs education as part of the health education cross-curricular theme;
- inform the Police where they believe or suspect a pupil to be in possession of a 'controlled drug'

Children and young people are exposed to messages about drug use from an early age. Their exposure to the use and misuse of drugs may come through parents/guardians, older brothers and sisters, friends, television programmes, the media, social networking, the internet and popular music.

Research shows that by post-primary school age, some young people are likely to have tried substances such as alcohol, cigarettes or solvents, and/or to have misused prescribed medicines or other drugs. Research also shows that the age at which children and young people are being offered drugs is getting younger.

In addition-

"There is a public perception that drug misuse is mainly an issue in disadvantaged inner city areas..... Drug misuse is just as much an issue in rural areas and affluent communities: it extends across socioeconomic, geographical and cultural boundaries. Educationally successful young people are just as likely to put themselves at risk as low attainers." (DENI 1996/16)

Between May 2014 and May 2015, there were 453 incidents reported to the PSNI across the Upper Bann area, 121 of which were in Banbridge. This clearly highlights that there is a genuine drugs crisis which is inflicting real damage on our local area. Tragically, in recent years

numerous people in Upper Bann have lost their lives because of drugs and many families have been devastated.

We believe that Ballydown Primary has a vital preventative role to play in combating the misuse of drugs by young people and we therefore include a Drug Education programme in our curriculum. We see our role as that of a caring community committed to the physical, mental, social, emotional, moral and spiritual health, safety and well being of our pupils and staff.

We want our pupils to make informed and responsible decisions about drugs by increasing their knowledge and by developing in them appropriate values, attitudes and skills. However, we recognise that drug misuse is a whole-community issue and that schools alone cannot solve a drugs problem; the school is only one of a number of groups and agencies which must play a part in the education of young people and endeavor to make use of their expertise in the delivery of the programme.

c) Categories of Drugs

For the purpose of this document the term 'drugs' will include any substance which, when taken, has the effect of altering the way the body works or the way a person behaves, feels, sees or thinks. As well as everyday substances such as tea and coffee, drugs include:

- ◆ **Illegal Drugs** or (processed), heroin and cocaine; and
 - other substances such as amyl/butyl nitrite ('poppers') and unprocessed magic mushrooms
- ◆ **Illicit Drugs** -Includes socially unacceptable legal drugs -
 - alcohol and tobacco;
 - correcting fluids/thinners, gas lighter fuel, aerosols, glues and petrol and
 - "Legal Highs" -Stimulant 'legal highs' 'Downers' and Psychedelic or hallucinogenic 'legal highs. Legal Highs are substances designed to produce the same, or similar effects, to drugs such as cocaine and ecstasy, but are structurally different enough to avoid being controlled under the Misuse of Drugs Act.
- ◆ **Prescription Drugs(Medication)**
 - "over-the-counter" medicines, such as paracetamol;
 - prescribed drugs, such as antibiotics, tranquillisers, inhalers and ritalin;

d) Aims of Drugs Education Policy

1. to have a clear and agreed understanding between everyone in the school community about the implications and possible consequences of drug use/misuse.
2. to provide all staff (teaching and non-teaching) with adequate training and support to enable them to deal effectively and confidently with incidents of suspected drug misuse, and to ensure that the procedures are sensitively and consistently applied in all situations.
3. to empower teaching staff through appropriate training and support to develop and deliver an effective drug education programme.
4. to provide a drug education programme which –
 - ◆ develops pupils' self esteem and promotes positive attitudes in their relationships with others
 - ◆ provides pupils with opportunities to develop the values, skills, knowledge and understanding necessary to make informed and responsible decisions about the

use/misuse of drugs including tobacco, alcohol and volatile substances, within the context of a healthy lifestyle; and

- ◆ helps pupils' develop the skills necessary to assert themselves confidently and resist negative pressures and influences.
5. to provide appropriate support and assistance for those pupils affected by drug-related issues.
 6. to inform parents of the content of this policy and the procedures to be implemented in the management of incidents of suspected drug misuse.
 7. to establish an environment in which the school is free from the misuse of all drugs

Development and Implementation

a) Roles and Responsibilities

The Role of the Board of Governors

The Board of Governors in Ballydown Primary School foster and support the development and on-going review of a drugs policy and education programme. They do so in accordance to the Education & Libraries Order (NI) 2003, Article 17, which states that it is the duty of the Board of Governors to safeguard and promote the welfare of the pupils attending the school.

Their role includes:

- ◆ Facilitation of the consultative process whereby the school stakeholders can respond and contribute to the effectiveness and quality of the policy and programme which they examine and approve prior to implementation in the school.
- ◆ Ensuring a summary policy is published in the school prospectus
- ◆ Ensuring that it is reviewed and up-dated at regular intervals.
- ◆ Appointing a Governor who is fully aware of and adequately trained to deal with suspected drugs-related incidents including alcohol and tobacco and their appropriate disciplinary response.

The Role of the Principal

It is the responsibility of the Principal to ensure that the correct procedure is followed if a drug incident occurs. His role includes:

- ◆ Determining the circumstances surrounding incidents.
- ◆ Liaison with the PSNI and other external agencies.
- ◆ Ensuring pupils' welfare.
- ◆ Handling, storage and safe disposal of any drugs related paraphernalia.
- ◆ Liaison with the Board of Governors and Education Authority – Southern Area.
- ◆ Ensuring the completion of a written report and forwarding to the Board of Governors and Education Authority.
- ◆ Contacting parent / guardian of pupil/s involved.
- ◆ In conjunction with the Board of Governors, facilitate the consultative process whereby the school community can respond and contribute to the effectiveness and quality of the policy and programme, and
- ◆ Ensure that the Drugs Education Policy is reviewed and up-dated at regular intervals.

In addition, the Principal will ensure -

- ◆ The adoption and delivery of the Drugs Education Policy throughout the school and
- ◆ All staff – teaching and non teaching have a knowledge and understanding of the policy's practices and procedures.

The Role of the Designated Teacher

The Principal is responsible for the co-ordination of the arrangements to deal with individual cases of suspected or actual drug misuse. His role includes:

- ◆ Oversight of co-ordination of planning of curricular provision
- ◆ Implementing procedures as outlined in this policy for dealing with an incident
- ◆ Receiving any substance and associated paraphernalia found in school
- ◆ Regularly updating staff on the policy and the procedures for dealing with a drug related incident
- ◆ Liaison with staff responsible for pastoral care
- ◆ Liaison with outside agencies in relation to drug related incidents
- ◆ The induction of new staff and training of existing staff as appropriate
- ◆ Reviewing and updating the school drug policy after an incident and when required.
- ◆ Completing an incident report form.

Role of the Caretaker -

- ◆ is vigilant and conducts regular checks of school grounds for drug-related paraphernalia. This includes the front school gates where young people park in evenings and at weekends disposing of items/rubbish through car windows.
- ◆ informs the Principal/designated teacher if drugs/paraphernalia should any be found.
- ◆ ensures the safe storage, handling and disposal of potentially harmful substances such as solvents and cleaning fluids.
- ◆ is aware of the school's Drugs Education Policy.

Role of Pupils -

- ◆ are aware of and adhere to school rules in relation to drug use/misuse
- ◆ P7 pupils will engage in a review of the school's Drugs Education programme
- ◆ will know that they can discuss/talk to their teacher, or Mrs Baird, if they are affected in anyway by the issues raised.

Role of Parents -

Parents play a vital role in the prevention of drug misuse. They are –

- ◆ involved in the planning of the school's Drugs Education Policy,
- ◆ supporting the school in the development and implementation of this policy
- ◆ informed if external agencies are being used to address drugs related issues in their child's class.
- ◆ aware of the school's procedures for dealing with drug related incidents including procedures for handling incidents of suspected drug misuse.
- ◆ kept informed of our drugs education programme e.g a summary policy will be placed on the school web site and in the School Prospectus.
- ◆ consulted during the review of the policy and programme.

Role of Staff - teaching and non teaching

- ◆ be aware of the statutory duty to provide a Drugs Education Programme,
- ◆ teachers will devise and implement, subject to the approval of the Principal, a whole school programme that is integrated into the Personal PDMU programme and other curriculum areas such as R.E.,
- ◆ be familiar with the procedures and practices outlined to deal with drug misuse,
- ◆ use will be made of Baker/Staff Development Days, school-based in-service meetings and CASS courses for training and up-dating the Drugs Education Programme.

b) Staff use of smoking and alcohol

The staff at Ballydown Primary School recognise that they are role models and as such – Ballydown is a smoke free and alcohol free environment both during school and out-of school hours.

Management of Substance- Related Issues

a) Procedures for Managing Drug-Related Incidents

A suspected drugs-related incident includes:

- ◆ inappropriate behaviour giving an indication that misuse of drugs has been, or is being, engaged in;
- ◆ an allegation being made in relation to misuse of drugs;
- ◆ possession; possession with intent to supply drugs; and
- ◆ finding drugs-related paraphernalia

b) Finding Drugs-related Paraphernalia

Paraphernalia in the school grounds is an indication of drug use/misuse within the locality, therefore, any member of the school community who encounters paraphernalia should use extreme care as these items may be hazardous.

The presence of paraphernalia associated with drug use/misuse should be reported to the designated teacher for drugs/Principal who will assess the situation and respond accordingly which may include liaising with police. Such objects may include:

small bottles, pill boxes;
hypodermic needles;
twists of paper;
cigarette papers, lighters and spent matches;
glue
roaches (ends of rolled-up cigarettes);
punctured cans/plastic bottles/containers;
aerosols, butane gas refills; and
drugs themselves.

c) Taking Possession of a Suspected Controlled Drug and/or Associated Paraphernalia

The law permits school staff to take temporary possession of a substance suspected of being a controlled drug for the purposes of protecting a pupil from harm and from committing the offence of possession (see Appendix ---).

1. the teacher, or any member of staff, will take the suspected drug and any associated equipment and/or paraphernalia as soon as possible to the designated teacher for drugs or to the Principal
2. if possible, an adult witness should be present when confiscations occur
3. safely store confiscated item(s) in the Caretaker's Store (locked cupboard available)
4. Principal/Designated teacher will contact PSNI to identify whether or not it is a controlled drug.
5. the parent/guardian will be contacted
6. **School staff will not attempt to analyse or taste an unidentified substance.**
7. a record will be kept outlining the details.

There may be cases where it is appropriate for the staff member to take **immediate action**.

This may involve calling an ambulance, administering first aid and/or contacting parents/guardians. In other cases it may be more appropriate to approach the pupil quietly and establish the particular circumstances surrounding the incident and respond accordingly.

d) An Allegation of a Suspected Controlled Drugs-related Incident

If the designated teacher for drugs/ Principal receives an allegation of possession it may be appropriate to search a pupil's desk if they have cause to believe it contains unlawful items, including controlled drugs.

However, personal belongings within the desk cannot be searched without consent. ***A search of the pupil's personal belongings, including schoolbag, coat or other items should only be made with the pupil's consent.*** Such a search will be made in the presence of the pupil and another adult witness.

Where a pupil is suspected of concealing controlled drugs on his/her person or in their personal belongings, every effort should be made to secure the voluntary production of these substances, by asking them to turn out their pockets or schoolbags.

If the pupil refuses, the parents/guardians and police should be contacted, if appropriate, to deal with the situation.

A member of staff should never carry out a physical search of a pupil.

If a substance or object is recovered which may be linked to the allegation, this should be taken possession of and a full record should be made

However, where consent is refused, the school will balance the likelihood that an offence has been committed against the risk that the pupil's right to privacy may be infringed without just cause. In such circumstances the Principal will take the decision to proceed with the search without consent. The pupil's parent/guardian will be informed of the decision.

e) Detaining a Pupil

When managing a suspected drugs-related incident the -

1. pupil(s) concerned will be told to remain in school under the supervision of appropriate members of staff/ Principal
2. parents/guardians and/or police will be informed and the pupil held until they arrive.

If the pupil refuses to remain, the school cannot as a rule detain a pupil against their will. However, if a member of staff has reasonable grounds to suspect that the pupil has in their possession or has taken a controlled drug, consideration can be given to effecting a citizen's arrest under Article 26 of the Police and Criminal Evidence (Northern Ireland) Order (PACE) 1989

It is important that the member of staff should make the pupil fully aware of the implications of such an arrest before carrying out the procedure.

It is important that staff should be able to recognise the point at which a young person becomes a danger either to themselves or others and their duty of protection as a result of

being *in loco parentis*. A teacher, in these circumstances, will use reasonable force to detain the pupil, and will act according to the procedures laid out in the school's Reasonable Force Policy

It is not illegal for a pupil(s) to possess or use other substances which are not controlled e.g. alcohol, solvents and/or tobacco.

Tobacco - in the event of a pupil being found with cigarettes on his/her person the cigarettes will be confiscated, the parents/guardians will be informed and action will be taken in line with the school's Positive Behaviour policy.

Alcohol - no alcohol should be brought into school by pupils or consumed by them on the school premises or while on school trips. In the event of a pupil being found with alcohol on his/her person the alcohol will be confiscated, the pupil's parents/guardians will be informed and action will be taken in line with the school's Positive Behaviour policy.

Solvents - the school will ensure that potentially harmful substances are stored safely and pupils are supervised carefully in the event of them having to be used in the course of their work. The use of correction fluid and aerosol sprays will be discouraged at all times. Caretaker's materials will be labelled and locked in a secure cupboard. In the event of a pupil being found abusing solvents the solvents will be confiscated, the pupil's parents/guardians will be informed and action will be taken in line with the school's Positive Behaviour policy.

Illegal Substances - no illegal substances should be brought to school or used on school premises. Should this happen then the designated teacher/Principal will deal with the incident according to the agreed procedures.

There is no legal obligation to notify the PSNI. However, if the Principal feels that there are issues relating to the source of origin of these substances, they could notify the CSIO for advice and guidance.

f) Confidentiality

The spirit of confidentiality is of primary importance to those who work professionally with young people in a trusting and secure environment. However the legal requirements of drug legislation will mean that in certain circumstances there will be a change in the convention of confidentiality. The Children (NI) Order (1995) makes it clear that the welfare of the young person is paramount and therefore confidentiality must be respected.

Where a pupil discloses to a teacher that he or she is taking drugs, the teacher should make it clear that he or she can offer no guarantee of confidentiality. However the teacher can advise the pupil of other sources of confidential information or advice. Pupils will also be encouraged to talk to their parents.

Any criminal activity disclosed must be passed on to the designated teacher, PSNI and Education Authority.

g) The Media

If the school receives an enquiry from the media, the caller will be referred only to the Principal. If the Principal is absent, the media will be informed as to when the Principal will be available.

When responding to the media, the privacy of the pupil will be respected. Short, factual statements will be given and the concluding statement will be positive and reassuring. No further comments will be given.

h) Procedures for using external agencies in school

Ballydown Primary School may use external agencies to help deliver the drugs education programme providing the following criteria are met:

- ◆ The Principal has given his approval for the use of the external agency.
- ◆ The content and delivery of the programme has been agreed with the Principal
- ◆ The programme and methods of delivery are consistent with the aims and objectives outlined in this policy.
- ◆ The staff from the agency provide evidence that they have been vetted in relation to Child Protection.
- ◆ The resources used are appropriate to the age range and maturity of the pupils.
- ◆ The visitor/s to the school is/are clear that confidentiality cannot be maintained and any disclosure which might suggest that a pupil is at risk must be passed to the designated teacher for drugs.
- ◆ The teacher/classroom assistant will always be present when a visitor to the school is taking a class.

i) Emergency First Aid Procedures

The school's trained first aiders are:

- ◆ Mrs S Lindsay
- ◆ Miss J White
- ◆ Mrs L Baird
- ◆ Mrs J Duke
- ◆ Mrs N Hamilton

Emergency Action for all members of the school community:

In the event of finding someone collapsed and unconscious, summon help and follow these procedures until help arrives:

1. Check that the mouth is free of obstruction and the airway clear.
2. If necessary pull the tongue forward.
3. Loosen clothing at the neck-line.
4. Place the person in the recovery position with the head forward
5. Check for chest movement and colour of face, lips and tongue - a person qualified in first aid should resuscitate.

j) Emergency Procedures

The following is the current best advice of what to do if someone is in difficulty as a result of misusing drugs.

Reproduced from 'Illicit Drug Use in Northern Ireland – A Handbook for the Professionals' (2000)

Note that on all occasions listed below, 999 Ambulance Service will be called and parents/guardians contacted.

- It is important to find out what has been taken as this could affect emergency aid, for example it will help the ambulance crew.
- If the person has taken a depressant drug, for example, solvents, alcohol, sleeping pills, painkillers, it is likely that they will be **drowsy** or unconscious. If the person is drowsy, it is important to try to keep them awake – by getting them to walk if possible, talking to them, or applying a cool damp cloth or towel to the back of their neck. They should not be given anything to eat or drink as this could lead to vomiting or choking.
- If they are or **become unconscious**, put them into the recovery position, clear airway if blocked, loosen clothing. An ambulance will be called immediately. Keep checking on any changes to pulse and breathing rates.
- If they **stop breathing**, begin mouth-to-mouth resuscitation. Stay with the person until the ambulance crew arrive, and then tell them all the facts, including what the person has taken. This is very important as it could save his or her life.
- If the person has taken a stimulant, show various **signs of distress** try to reassure them. It is important that they calm down and relax. Get them to breathe in and out, deeply and slowly. Help them by counting out loud slowly. If hyperventilation occurs – that is they can't control their breathing – get them to breathe in and out of a paper bag – if there is one available (not a plastic bag).
- If the person has taken LSD, they should be supervised in a darkened, quiet room to avoid sensory stimulation.
- If the person has taken a hallucinogen, such as LSD, magic mushrooms, or cannabis in combination with Ecstasy they may become very **anxious, distressed and fearful**. They may act in an unusual way. It is very important to reassure the person – tell them that you will look after them, that they are in no danger, that it is the effects of the drugs and that the effects will soon wear off. You may want to take them to a quiet place, keep other people away, and continue to reassure them. Just stay with them and talk calmly to them. This may take a long time depending on amount taken. If they show no signs of becoming calmer or they become hysterical, contact the parent to take them to hospital – explain calmly to the person what is happening – this will help decrease any feelings of panic.

k) Guidance on storage, handling and disposal of hazardous/harmful volatile substances

All members of staff are responsible for the safe storage and usage of solvents in their classroom i.e. adhesives, glues, felt-tips, white board markers etc. Their usage will be supervised.

The cleaners and Building Supervisor should also ensure that their stores are locked when not in use and that solvents are held in a secure place. Children are not permitted to enter such places unsupervised. Notices placed on store doors will indicate this.

After confiscating a controlled drug and/or associated paraphernalia the items will be placed in a locked cupboard in the caretaker's store.

l) Guidance on administration of medication in school

(The school maintains a Medication in School policy with complete details and this can be accessed on the school web-site.)

The school recommends that parents/guardians provide written details of any medical condition that individual pupils may have including any medication taken. This information is initially provided by parents on Data Information Sheets which are returned to the school office.

Mrs Wright (Head of Key Stage I and Foundations) compiles a list of all those children with specific needs e.g asthmatic, allergies, dietary requirements etc

Medicines/tablets must not be brought to school unless accompanied by a letter from a parent/guardian and they will only be administered when it is absolutely necessary.

Monitoring and Evaluating

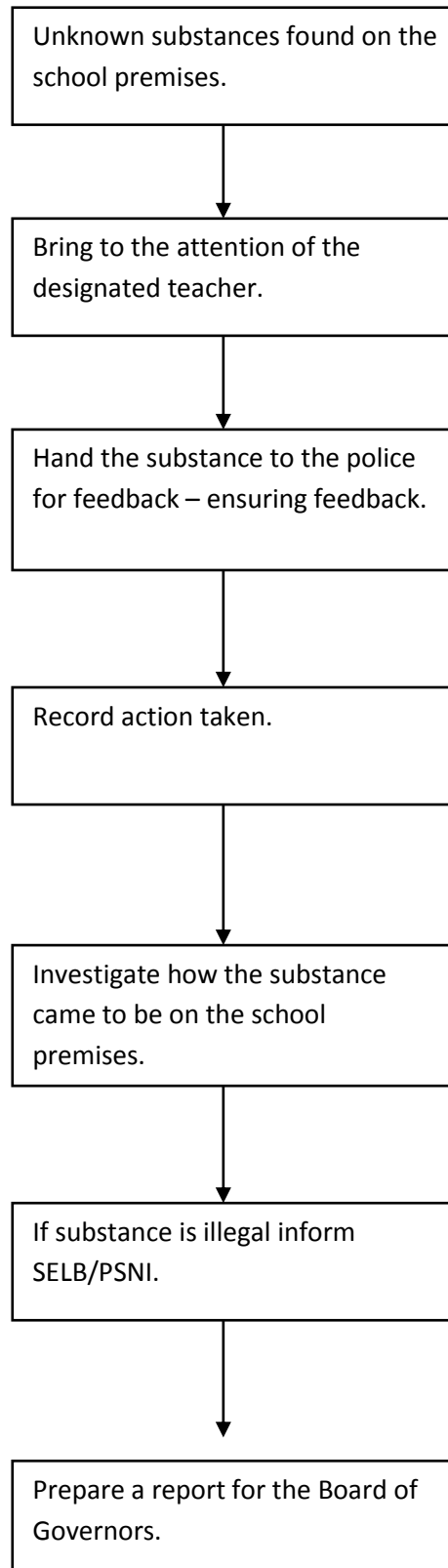
a) Review of Policy and Procedures

- The school's Drugs Education Policy is reviewed annually by the Board of Governors. When new legislation, or a drug-related incident occurs, the school's policy and procedures will be evaluated with immediate effect.
- The suitability of the policy will be kept under review in light of any new guidance materials received from DENI/EA or legislative requirements.
- The policy will be on the agenda of staff meetings and all new staff will be familiar with it.
- The content and effectiveness of the educational programme is monitored regularly in line with the review of all aspects of the curriculum. The designated officer for Drugs Education is responsible for organising procedures for monitoring / evaluating / reviewing the Drugs Education Policy and Education Programme and subsequently leading any changes to these documents as a result. The programme is endorsed by the Board of Governors.
- All stakeholders, to include parents and pupils, will be involved in the evaluation of the drugs education programme.
- The Drugs Education Policy should be considered in conjunction with the school's Discipline/Positive Behaviour Policy, Pastoral Care Policy, Administration of Medicines Policy and Child Protection Policy.
- The policy is available to parents if they request it and the policy is also be accessed from the school website

Section 5 Appendices

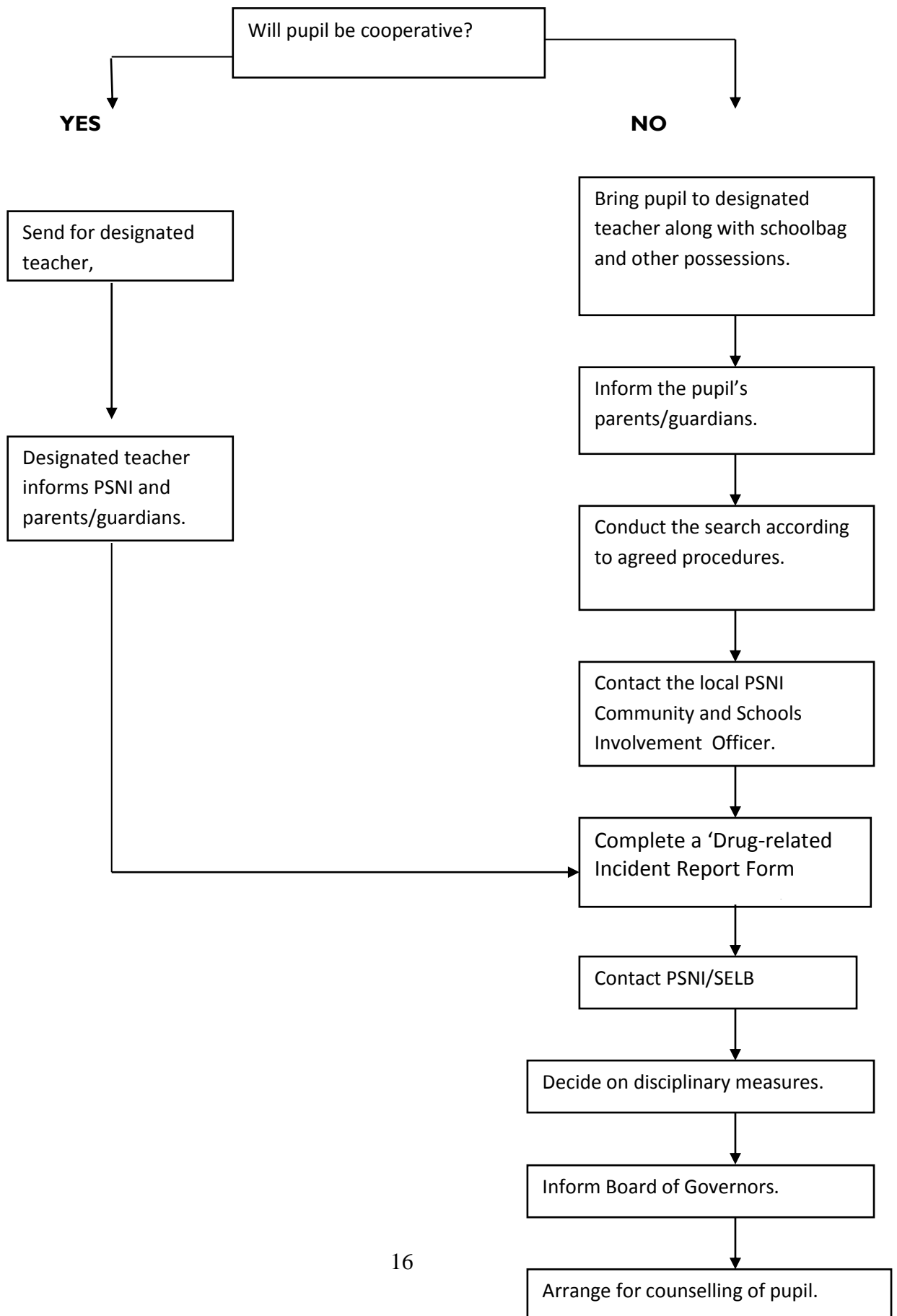
APPENDIX A

FOR SUBSTANCES FOUND ON THE SCHOOL PREMISES

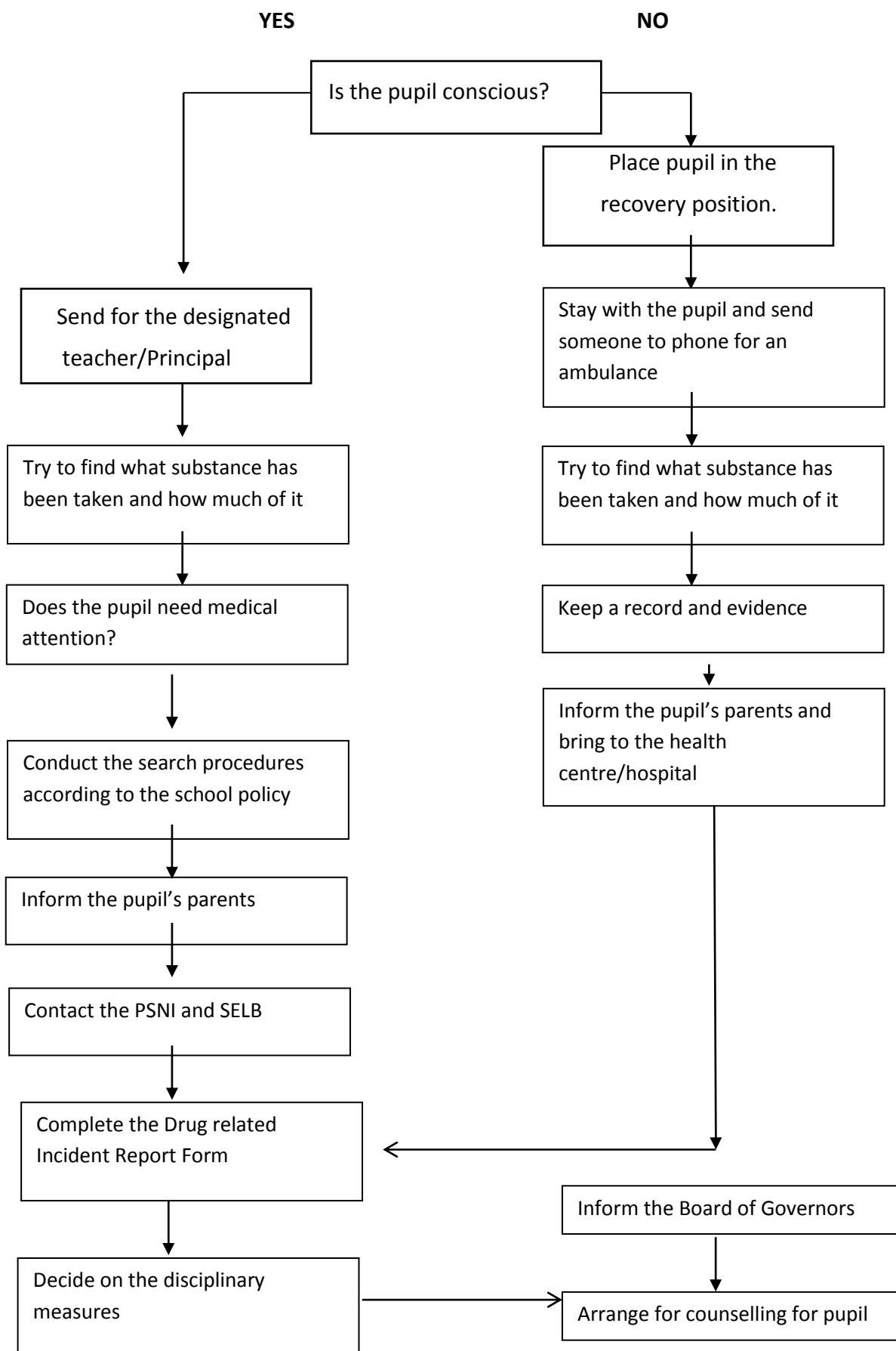


Appendix B

For finding/suspecting a pupil of possessing drugs



Appendix C For dealing with a pupil under the influence of drugs



Appendix D BALLYDOWN PRIMARY SCHOOL

Drug-related Incident Report Form

Date of Incident _____

Outline nature of incident

SIGNED _____

DATED _____

Request by parent/guardian for school to administer medication

Note: The school will not give your child medicine unless you complete and sign this form.

Name DOB Class

Condition _____ **or** _____ **illness:**

Medication

Name/type of medicine (as described on the container)

For how long will your child take this medicine:

Full directions for use/dosage and method:

Timing:

Special precautions/Side effects

Self- administration

Contact Information

Name _____ Daytime Tel. No. _____

Relationship to pupil _____

I understand that I must deliver the medicine personally to _____
(class teacher)

and accept that this is a service which the school is not obliged to undertake.

Signature _____
(parent/guardian)

Date _____

APPENDIX G

THE LAW IN NORTHERN IRELAND

Staff are made aware of their responsibilities under the law. The law in Northern Ireland differs in certain aspects from elsewhere in the UK. The relevant pieces of legislation are 'The Misuse of Drugs Act 1971, Section 5 of the Criminal Law Act (Northern Ireland) 1967, and the Powers of Arrest – Police and Criminal Evidence (Northern Ireland) Order 1989.

If the Principal has reasonable grounds to suspect that drugs are being used or supplied on the school premises, he will inform the police immediately in order to avoid any liability as a 'manager or occupier' of premises.

If staff have taken possession of a substance for the purposes of protecting a pupil from harm and from committing an offence; they should under no circumstance, try to analyse or identify it. If they suspect it to be LSD, they should wear gloves when handling it, to avoid ingestion through the skin. The drug should be immediately stored in a safe place, and the police contacted.

MISUSE OF DRUGS ACT 1971

It is an offence under the Misuse of Drugs Act 1971:

- i. to supply or offer to supply a controlled drug to another in contravention of the Act;
- ii. to be in possession of, or to possess with intent to supply to another, a controlled drug in contravention of the Act; it is a defence to the offence of possession that, knowing or suspecting it to be a controlled drug, the accused took possession of it for the purpose of preventing another from committing or continuing to commit an offence and that as soon as possible after taking possession of it he took all such steps as were reasonably open to him to destroy the drug or to deliver it into the custody of a person lawfully entitled to take custody of it;
- iii. for the occupier or someone concerned in the management of any premises knowingly to permit or suffer on those premises the smoking of cannabis: or the production, attempted production, supply, attempted supply, or offering to supply of any controlled drug.

The offences listed above are arrestable offences.

Section 8 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) of this Act;
- (c) preparing opium for smoking;
- (d) smoking cannabis resin or prepared opium.

CRIMINAL LAW ACT (NORTHERN IRELAND) 1967

Section 5 Failing to give Information. Where a person has committed an arrestable offence, it shall be the duty of every other person who knows or believes:

- (i) that the offence or some other arrestable offence has been committed; and
- (ii) that he has information which is likely to secure, or to be of material assistance in securing, the apprehension, prosecution or conviction of any person for that offence;
- (iii) to give that information, within a reasonable time, to a constable and if, without reasonable excuse, he fails to do so then that person is committing an offence.

This places an onus on individuals to inform a constable.

POWERS OF ARREST – POLICE AND CRIMINAL EVIDENCE (NORTHERN IRELAND) ORDER 1989

Art 26(4) – **Any person** may arrest without warrant anyone who is, or whom he with reasonable grounds suspects to be, guilty of the offence.

Art 26(5) – Where an arrestable offence has been committed, **any person** may arrest without warrant anyone who is, or whom he with reasonable grounds suspects to be, guilty of the offence.

These powers of arrest are available to non-police and, as the following drug offences fall within the definition of Arrestable Offence, are available for use in such circumstances.

(1) Possession of Controlled Drugs

(2) Possession of Controlled Drugs with Intent to Supply

(3) Supply of Controlled Drugs

NB: The above information is advisory only and does not represent legal opinion.

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