

## Policy on Alcohol, Tobacco, Illegal Drugs and Volatile Substances

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### **1 Definitions**

#### a. "The School":

For the avoidance of doubt the "School" is defined, for the purposes of this policy only, as any place or occasion **where school identity is perceived.** i.e. within the precincts of the School, outside school property at break times, on school trips or events. School property is defined as the buildings, the School grounds, all open areas within the School's boundaries or wall or fence, the playing fields and other grounds. Also the public property, roadways and footpaths in the immediate vicinity of the School, where School students congregate on the way to or from School at the start and end of a day's School activities are especially regarded as places where School identity is perceived.

#### b. "Banned or Prohibited Substances "

This refers to all banned or prohibitive substances at the School and includes all substances covered under the "Misuse of Drugs Acts", or any prescribed medication not validated by a current medical prescription, and any volatile substance, and any alcohols (at all), or any tobaccos, used contrary to or in variance with the Law of the land.

The School reserves the right based upon it's own experience and any advices it may receive on the subject, to determine that any substance found at the School is, and should be treated as a " *Banned or Prohibited Substance(s).* "

#### c. "drug paraphernalia "

Includes but shall not be limited to any of the following, any items that may be deemed

to be used for the taking of any illicit substances including hash pipes, bongs or 'lungs', and, any written or printed materials promoting the use of any illicit substances, or any *Banned or Prohibited Substance(s)*;

a. *"An Abuse Incident "*

An Abuse Incident is any which occurs in the *School*, or during school functions or outings, or any incident which may be deemed damaging to the health or welfare of the student concerned, or to other student(s), or to the Policy or reputation of the School.

The following are possible examples (only) of an Abuse Incident:

- Emergencies where the person may be unconscious, intoxicated or showing signs of unusual behaviour where the use of alcohol, tobacco or any *Banned or Prohibited Substance(s)* is suspected;
- Possession of a *Banned or Prohibited Substance(s)* at the School or on any school related activity;
- Identified Concerns regarding the use or abuse of Banned or Prohibited Substance (s) by any student or students;
- Identified Concerns regarding the selling, supplying or distribution of any *Banned or Prohibitive Substance(s)*;
- *Drug Paraphernalia* found at the School which may or might be used for drug activity.
- Student(s) either seeking help from a member of staff, or otherwise making disclosure to a member of staff, concerning either the taking by themselves or any other persons at the School of any *Banned or Prohibitive Substance(s)*, or the possession, distribution or sale of same, whether at the School or otherwise, or the possession or use of *Drug Paraphernalia*;

The School reserves the right to determine, in the circumstances arising, whether or not a specific incident(s) is an Abuse Incident, to be dealt with under the terms of this Policy.

e. *"Parents"*

shall include natural parents, foster or step parents, or any person having guardianship of the student(s) concerned, or any person acting in loco parentis either on a permanent or on a temporary basis for the time being, as at the date of the Abuse Incident(s) in question.

f. *"The Principal"*

means the Principal for the time being as appointed by the School and as defined in the Education Welfare Act 2000, and for the purposes of this Policy also includes the Deputy Principal where the Principal is not available or has delegated to Deputy Principal.

## **II School Policy:**

This School does not accept the possession, use of, or supply of Banned or Prohibited Substance(s) or of Drug Paraphernalia either in the School, or where School identity is

perceived, on School trips or during any School related activity by any pupil(s) of the School.

A legitimate exception is the use of a prescribed drug in accordance with medical advice and prescription. Parent(s) hereby agree to inform the school in writing when their son is on prescribed medicines.

### **III Programmes for Alcohol, Tobacco, Volatile Substances and Drug Education.**

Within the limited available resources available to it, the School will provide alcohol, tobacco and drugs education programmes for its students. Parents acknowledge that these programmes are essential for the health and well being of their sons, and that they as parents are in partnership with the school to:

- a. Provide honest and age-appropriate information on drugs, alcohol and volatile substances.
- b. Adequately inform pupils of the risks arising for them and for others from the abuse of Alcohol, Drugs, or any other Volatile Substances.
- c. Prepare students for present and future experiences and to enable them to make informed decisions, which will eliminate the harm to themselves, their families and their communities that can arise from drug use or misuse, or the abuse of alcohol or volatile substance abuse.
- d. Enable students to make informed, healthy and responsible choices.
- e. Equip students with the necessary personal and social skills to deal with the situations they will be presented or confronted with in relation to the abuse of those various substances.
- f. Increase the self-esteem and confidence of the student.
- g. Adequately inform the student(s) of this Policy and the consequences for any student of offending the School Policy in this area.
- h. *Where abuse does occur*, to minimise the harm caused by the abuse of alcohol, tobacco and illegal drugs by offering supportive interventions.

**Accordingly Parents agree to support and assist the School in every way with reference to their son's participation in these Programmes.**

*And The School agrees that:*

- (a) Parents will at all times have access to information on what is happening in the School with regard to these education programme.
- (b) It will encourage and welcome ongoing Consultation with Parent(s) as appropriate, mainly through the Parents' Council, in relation to the best use of whatever resources are available in the community to support the School in these Programmes and this Policy.

#### **IV Managing Alcohol, (Tobacco), Drug Related or Substance Abuse Incidents**

##### *Introduction- The School Approach*

In any Abuse Incident the School will seek to strike a balance between the welfare of the student(s) involved and the welfare of the school community and the reputation of the school.

#### **V The School's Management & Investigation Procedure for an Abuse Incident.**

The School will:

(1) In any case where it is apparent that there is an immediate danger to students or the school community, the School reserves the right (acting through the Principal) to temporarily suspend or remove any student(s) involved from the school premises and/or from any specific school activities, or take whatever other action is deemed appropriate and necessary to remove the said danger, pending a further and complete investigation as described below.

(2) An Abuse Incident Report Form will be completed.

(3) The School will take all appropriate and necessary steps to fully investigate and assess any Abuse Incident including the various steps set out herein, and will take as much time as may be deemed necessary and appropriate to the completion of any such investigation.

(4) The School will take immediate possession of any "Banned or Prohibited Substances" or any "*drug paraphernalia*" found in connection with the incident(s) and will retain same pending the completion of this investigation, unless otherwise required by any relevant outside Agencies, or unless otherwise advised to part with possession of same by the said outside Agencies.

(5) Where the School is to part with possession of the said items at (4) it will firstly take (and maintain) a record of all the items that came in to its possession, and the number and volume of same, for the purposes of this investigation.

(6) The School will immediately seek a statement or explanation from the student(s) or staff concerned, and will carefully record same.

(7) The School will seek out, obtain and record the views of all or any other person concerned with or having knowledge of the Abuse Incident(s).

(8) Records:

At all stages of the investigation a written record should be kept of the investigation undertaken, including the records at (2) and (5) above, communications to and with the Board of Management, the Parent(s), any Student(s) in any way involved or concerned with the matters under investigation, any Teacher or other staff member involved, and any outside Agencies either communicated with or otherwise involved in the Abuse Incident(s), the outcome of the investigation, any decisions taken and the reasons for same, any penalties or disciplinary procedures imposed at the conclusion of same, and finally, in the event of an Appeal the entire management of that Appeal and the outcome of same. [*This is not intended to be an exhaustive list of the records to be kept. The School will retain all*

*records relevant to investigation of any incident(s)].*

(9) The School will, at its own discretion, in an appropriate case, liaise with any appropriate outside authorities, such as relevant officers of the local Gardai or Health Board, and may seek their advice or assistance as the School deems appropriate and necessary in the circumstances of the specific Abuse Incident(s) being dealt with.

(10) Again the School will in an appropriate case, at its sole and exclusive discretion, liaise with any appropriate outside authorities or experts on a confidential basis, and may seek any professional or expert advice or assistance it deems appropriate and necessary to deal satisfactorily with the circumstances of the specific Abuse Incident(s).

(11) If the circumstances merit (& the investigation is continuing), the School will then put the full particulars of the Abuse Incident(s) to the student(s) concerned, and to their parents.

(12) Copies of all Records deemed relevant only to the position of the student concerned and to the nature of the complaints or allegations that student is facing will be made available to that student(s) and his parent(s) at the appropriate stage, at the discretion of the School, but no later than at (11) and in time to permit the student a reasonable and just opportunity to make his own reply to the matters at issue, and any representations he would wish to make or have made on his own behalf.

(13) The School will then allow the student(s) concerned, and their parents, reasonable and sufficient time to permit of a response to the matters at issue, but otherwise matters shall be dealt with in a reasonably expeditious and efficient manner. The School will take in to account any response so made, and if such should arise and require to be taken in to account, any relevant extraneous considerations or mitigating circumstances that it may be appropriate to take in to account in the specific case.

(14) The School shall shortly thereafter, inform the student's and Parent(s)/Guardian(s) of its findings, and their reasons for same, and if the School deems that the student(s) have been guilty of, or has been involved or implicated in an Abuse Incident, it shall indicate the penalty or sanction(s) that it intends to impose in the circumstances.

(15) The Board of Management, as the circumstances of the matter may merit, may implement disciplinary actions or sanctions including, but not limited to, any of the following :

- o An oral warning.
- o A written warning.
- o A "3 day Suspension."
- o A Suspension of more than 3 days.
- o Mandatory Drug Testing of a pupil by a qualified independent agency at parents/guardians expense.
- o Other disciplinary action short of expulsion.
- o Expulsion

Sanctions up to and including expulsion may be invoked in an appropriate case. Where expulsion arises the Board of Management will notify the Education Welfare Officer and will otherwise comply \* with the provisions of the Education Welfare Act, 2000 [Act No 22] subject to "and without prejudice to the right of a Board of Management to take such

other reasonable measures as it considers appropriate to ensure that good order and discipline are maintained in the School and the safety of students is secured" in accordance with the law and the provisions of Section 24 (5) of the said Act.

*\* Example only of Compliance with the said Act:*

*Section 24 (4) A student shall not be expelled from a school before the passing of 20 school days following the receipt of a notification under this section by an educational welfare officer.*

This does not mean that the School is prohibited from taking any sensible or reasonable precautions in accordance with and for "the safety of students" etc as S24 (5) mentions. Parent(s) and the School hereby acknowledge and agree that where such circumstances may be deemed by the School to arise, then independently of any sanction of expulsion or extended suspension, the School and its Principal may be obliged and compelled to take or continue measures as at V(1) above, in the interests of good order and discipline in the School and the safety of students, pending completion of any engagement process with the education welfare officer or other parties under the Education Welfare Act, 2000, concerning an imminent expulsion.

(16) Again in an appropriate matter, if the School considers that the Abuse Incident(s) to be of sufficient gravity, then it may again at its sole discretion, postpone the question of penalty or sanction(s), if it considers it appropriate to do so in order to take account of any mitigating circumstances or representations that it may deem it appropriate to receive and take account of prior to imposing any penalty or sanction(s) in the specific case.

## **VI How Abuse Incidents are managed by the School.**

*Procedures, who is involved and related issues*

### **(I) The Principal**

- a. The Principal (or his delegate) is in the first instance the primary person responsible for dealing with all Abuse Incidents arising in the School.
- b. All other Staff, students and Parents (where the circumstance should arise) are obliged to report particulars of any Abuse Incident, or any reasonable suspicions of the possible occurrence of an Abuse Incident(s), to the Principal or to the Deputy Principal without delay;
- c. Ordinarily the Principal, or in his absence the Deputy Principal, shall make all relevant decisions with reference to investigating the Abuse Incident, communicating with Parent(s) and liaising with or reporting (as appropriate) to any other relevant Agencies, the Board of Management, and ultimately (subject to the discretion of the Board of Management), the disclosure of information concerning the Abuse Incident investigation to relevant third parties.

d. The Principal, or his Deputy shall keep the Year Head, the Schools Guidance Counsellor and other persons directly involved in or properly concerned with the Incident(s) duly and properly informed concerning the Incident(s) and all matters relating to the investigation of same (*see below re Confidentiality*).

e. All written documentation and records of any sort concerned with the Incident(s) will be held confidentially and securely by the Principal at his office.

f. The Principal (or Deputy Principal) or any designated person on the Principal's behalf, at his own discretion, may contact the Gardai or relevant personnel or other authorities such as the Health Board, in the course of investigating and managing a suspected Abuse Incident(s).

g. Any drug paraphernalia or other banned or prohibited substances found at the School may be handed over to the Gardai, any may be dealt with by the Gardai at their discretion, subject only as previously mentioned at paragraph V above.

h. The Principal may be assisted in the investigation and management of any Incident(s) by the Deputy Principal, Year Head and/or the School Guidance Counsellor, or other teacher (s) as he deems appropriate.

i. In relation to the investigation and management of any Incident(s), *only* the Principal should contact or liaise with the Parent(s), the Gardai, or any other outside Agencies, unless the Principal shall have expressly authorised or delegated another member of Staff to the contrary.

## (2) Notifying and communicating with the Parents & Students

As mentioned already in accordance with paragraph V (Investigation Procedure), Parent(s) will in any event be contacted if an Abuse Incident continues to be investigated and the School is required to put particulars of the matter to the student(s).

But independently of this, the School may require to contact the Parent(s) for a variety of reasons in connection with a *suspected* Abuse Incident.

If the School has reason to believe that student(s) have been involved in an Abuse Incident, the School will notify the parent(s), and especially where there is concern about the health or welfare of the student(s) concerned, will share all relevant information the School has available to it, that may be of assistance to the Parents or may be necessary for them in order to attend to the health and welfare of their child. The School will seek to involve Parent(s), wherever possible and offer support to them in relation to the incident(s), in the best interests of the student(s) concerned, **but without prejudice to the School's separate and independent obligation to investigate and manage the Abuse Incident (s) themselves as outlined at paragraph V above.**

The School will also keep the student(s) concerned appropriately informed about what is happening and why, and again this will be without prejudice to it's separate and independent obligation to investigate and manage the Abuse Incident(s).

(3) Confidentiality when Managing an Abuse Incident The School recognizes that it is important, in so far as is possible in the circumstances that only *a limited number of people are involved* in managing and investigating any Abuse Incident(s). Schools policy here is

only to involve those properly concerned with the management and investigation of the Incident(s) in question. For example, as stated above, the Principal is obliged at all material times to keep the Deputy Principal, Year Head, School Guidance Counsellor, and Board of Management properly informed. Otherwise (*and subject to the following qualifications*) the School, the Principal, and all persons concerned with the Incident(s) shall respect the principle of confidentiality and shall do all things proper and necessary, jointly and individually, to try and observe that confidentiality.

But otherwise the student(s) and Parent(s) concerned with the Incident(s) recognize and acknowledge that for example:

**a. Firstly, that any teacher or other staff involved, *cannot offer total confidentiality to any student(s), where that teacher or other person comes on notice of an Abuse Incident(s) or a suspected Abuse Incident(s) whether through a disclosure or otherwise. The teacher has a higher duty to the school community, and while he/she may see fit to assist any student(s) in an appropriate manner, the teacher must at all time reserve the right to bring any such matters to the prompt attention of the Principal or other School personnel concerned. And all the more especially so in any circumstances where another student or child (be they a pupil of the School or otherwise) may be considered to be in danger of harming himself or others.***

b. Secondly, the School **may be bound** in a specific case to contact other relevant authorities, such as the Gardai, the Health Board (for the area), any officer at the Probation Service who may be concerned with any student(s) who may be involved in the Incident(s), or even other Officers of the Courts, again in circumstances where the Court Officers may already have reason to be concerned with any student(s) who may be involved in the Incident(s). And for that purpose, it may be reasonable and proper for the School in an appropriate case to make enquiries to ascertain if any of the foregoing authorities have reason to be concerned with anyone or more of the student(s);

c. Thirdly the student(s) and their parents acknowledge that the School may of necessity require the expert assistance of an appropriate third party if it is to properly investigate and manage any Abuse Incident(s).

d. Fourthly, the student(s) and their parents acknowledge that, again in an appropriate case, the School may be obliged under Statute or Regulations or Departmental Guidelines to notify other persons concerning either Abuse Incident(s) or the outcome of any investigations concerning same, such as for example an Education Welfare Officer under the terms of the Education Welfare Act 2000, or a Juvenile Liaison Officer under the provisions of the Children's Act 2001.

*(4) The role of the Teacher or other School staff member*

The position of the Teacher or other school staff with reference to confidentiality has already been outlined in the previous section. Any Teacher, staff member or other employee of the School who encounters an Abuse Incident or even suspicions of an Abuse Incident may be obliged to report same promptly to the Principal or Deputy Principal.

(5) Media: The School will not comment on any individual matter when investigation of an Abuse Incident is in progress. But the School if confronted with a Media enquiry may elect to outline it's Policy and procedures for managing & investigating any Abuse Incident.

In the interests of the School's reputation the Board of Management may decide, after the investigation of any Abuse Incident has been *entirely concluded*, to clarify it's own position with reference to any particular Abuse Incident investigation. Only the Principal or a nominated spokesperson on behalf of the School will handle all media enquiries, and the response to same.

## **VII Training and Staff Development**

### **(a) For Staff:**

1. The school will make available training to staff involved in delivering alcohol, tobacco and drug education programmes.
2. Detailed and specific training will be made available to the staff appropriate to their role in relation to the management and investigation of Abuse Incidents.

### **(b) For Parents and Board of Management:**

1. The school will provide opportunities to attend information evenings and workshops on issues relating to drugs and the school policy in this current year .
2. The school will also provide at the appropriate stage appropriate information, guidance and professional support (as necessary) for it's Board of Management in relation to adjudication on and investigation of Abuse Incidents, and all related matters such as confidentiality, handling of relationships with all relevant outside Agencies, dealings with Appeals, the Education Welfare Officer and compliance with all relevant statutory and regulatory requirements.

### **(b) For Students:**

1. The school will offer all its students alcohol, tobacco and illegal drug education programmes within the context of their Junior and Leaving Certificate programmes.

## **V111 Monitoring, Review and Evaluation**

Monitoring, Review and Evaluation of this Policy and all related work and procedures will take place on an ongoing basis in order to keep the School up to date with current best practice in this area.

