

# **STUDENT DRUG AND ALCOHOL POLICY**

September 2019

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Document title	
Student Drug and Alcohol Policy	
Document author and department	
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Approving body	
University Executive Board (UEB)	
Date of approval	
12 August 2019, minute 19/150	
Review date	
August 2021	
Edition no.	
5	
ID Code - supplied by Helen Malbon for items in the central document warehouse	
073	
Date of effect	
September 2019	
<b>EITHER</b> For public access online (internet)?	YES
<b>OR</b> For staff access only (intranet)?	NO
<p>External queries relating to the document to be referred in the first instance to the Corporate Governance team: email <a href="mailto:corporate-governance@port.ac.uk">corporate-governance@port.ac.uk</a></p> <p>If you need this document in an alternative format, please email <a href="mailto:corporate.communications@port.ac.uk">corporate.communications@port.ac.uk</a></p>	

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# Summary

## What is this document about?

This Policy is part of a University and Students' Union approach that promotes a safe and supportive environment in which to study and work. The overarching premise is one of support and education, focusing on making healthy choices, setting a framework of acceptable and responsible behaviour, and the action that may be taken in the event of a breach of acceptable and responsible behaviour.

## Who is this for?

The Policy applies to students in circumstances where there is a risk to themselves or others, or where their conduct or quality of work affects others or the reputation of the University or Students' Union. It applies whether students are on University premises or elsewhere on University business, study activities or Sports activity. The Policy also applies to the Unions' clubs and societies.

## How does the University check this is followed?

Each of the departments involved with this Policy will check it is followed. These departments include University Student Services, Students' Union, Health and Safety, Department of Student and Academic Administration, Estates and Campus Services, Sports and Recreation and the Faculties.

The Policy will be reviewed and monitored via the Student Experience Committee and University Health and Safety Committee and will be reviewed after three years.

## Who can you contact if you have any queries about this document?

If you have any questions about this document please contact the University Student Services at [wellbeing@port.ac.uk](mailto:wellbeing@port.ac.uk); Students' Union at [advice@upsu.net](mailto:advice@upsu.net); Health and Safety at [hsservicedesk@port.ac.uk](mailto:hsservicedesk@port.ac.uk).

## Scope of Policy

This Policy is part of a University community approach to the provision of a safe and supportive environment. The overarching premise is one of support and education, focusing on making healthy choices and setting a framework of acceptable and responsible behaviour.

## Statement

The University and Students' Union will:

- encourage and support a culture of shared responsibility, across the whole University community, to enable and assist students to make healthy choices and respect different attitudes towards alcohol use;
- provide confidential support through The Student Wellbeing Service or the Students' Union Advice Centre to students who are seeking help or have concerns about their alcohol or drug use or that of their friends;
- to provide access to drug and alcohol education and training from Solent Recovery College

- set a framework of acceptable and responsible behaviour and be clear regarding the disciplinary action for related misconduct;
- comply with the legal duty of care to students, staff and visitors;
- recognise that staff have a duty of care to be alert to indicators of alcohol and drug misuse and to provide guidance and information to staff and students to help them take appropriate action when necessary.

# 1. Student Alcohol and Drugs Policy

## 1.1 Definitions

- **Alcohol misuse:** the drinking of intoxicating liquor can be detrimental, whereby a student's ability to study and work is impaired, their attendance is interfered with, they endanger the safety of others or cause personal harm, or they exhibit physical, mental, emotional or behavioural changes.
- **Drug misuse:** the taking of drugs, including the use and abuse of other substances, whereby a student's ability to study and work is impaired, their attendance is interfered with, they endanger the safety of others or cause personal harm, or they exhibit physical, mental, emotional or behavioural changes .
- The term '**drugs**' has been used in this Policy to include all drugs and substances, legal or illegal, which adversely affect behaviour or performance (including study pills).
- "**Dealing**" is the term used in this policy to include possession with intent to supply which is a criminal offence and a matter taken very seriously by the University and Students Union. Students involved in this activity will be subject to the Code of Student Behaviour and disciplinary Procedures.
- **Psychoactive substance**
  1. In the Psychoactive Substances Act 2016 'psychoactive substance' means any substance which:
    - (a) is capable of producing a psychoactive effect in a person who consumes it; and
    - (b) is not an exempted substance (section 3/Schedule 1 of the Act).
  2. For the purposes of this Act a substance produces a psychoactive effect in a person if, by stimulating or depressing the person's central nervous system, it affects the person's mental functioning or emotional state; and references to a substance's psychoactive effects are to be read accordingly.
  3. For the purposes of this Act, a person consumes a substance if the person causes or allows the substance, or fumes given off by the substance, to enter the person's body in any way.
- **Legal highs:** A term that is still widely used, and before the Psychoactive Substances Act 2016 came into force, related to substances that were used recreationally but were not controlled under the Misuse of Drugs Act (1971), not licensed for legal use, and not regulated as a medicine (Medicines Act 1968) . Now all such substances are illegal and the term 'legal highs' is incorrect.

## 1.2 Support

The University recognises that the majority of students will not be affected by alcohol or drug misuse but, where a student declares that they have a problem, or where a student has been approached to purchase and take drugs; their case will be treated sympathetically and in confidence. Support will be offered through **The Student Wellbeing Service, Students' Union Advice Centre and the Residence Life Team**, where possible and referrals to external support agencies may be made where the support required is outside the expertise of those services. Education and training can be accessed through the **Solent Recovery College programme**.

It is important to acknowledge that students who have or develop alcohol or drug-related problems may cause harm to themselves and to others and these risks will be considered in any course of action. Any

misuse of alcohol or drugs can affect students' performance, conduct and relationships both on their course and in their accommodation. It can also have consequences for future career choices.

The University has a legal duty of care to its students, staff and visitors and aims to provide a safe, healthy and high quality study and work environment. This includes addressing the risks posed by alcohol or drug misuse, informing students of their responsibilities and providing information, advice, guidance and support on request. All students have a legal responsibility to take care of their own safety and that of others.

Support and guidance can be sought via MyPort by searching "concerns about drug use" (or clicking [Here](#)) or "advice about drinking too much alcohol" (or click [Here](#)).

### 1.3 Legislation

- **The Health and Safety at Work Act 1974** places a duty of care on employers to ensure, as far as is reasonably practicable, the health, safety and welfare at work of staff, students and other users of its premises .
- **The Misuse of Drugs Act 1971** states that the misuse of drugs applies to the 'non-medical use of drugs that are only intended for use in medical treatment and the use of drugs that have no medical purposes.' Such drugs are controlled under this legislation. The University works within this framework and is therefore clear that the possession and/or use of illegal drugs on its premises is unacceptable and breaches may be subject to disciplinary or legal action.
- **Psychoactive Substances Act 2016** creates the following criminal offences covering the supply of a psychoactive substance:
  - producing a psychoactive substance (section 4 of the Act)
  - supplying, or offering to supply, a psychoactive substance (section 5)
  - possession of a psychoactive substance with intent to supply it (section 7)
  - importing or exporting a psychoactive substance (section 8)
  - possessing a psychoactive substance in a custodial institution (section 9)

The University does not condone the use of any illegal drug and/or psychoactive substance; anyone found in possession of any illegal drug and/or psychoactive substance or using such substances on its premises may be subject to disciplinary or legal action.

- **The Road Traffic Act 1988** states that a person is guilty of an offence if driving or attempting to drive a motor vehicle in a public place while unfit through drink or drugs
- **The Drug Driving (Specified Limits) (England and Wales) Regulations 2014** states that it is illegal to drive if either: a person is unfit to do so because of legal or illegal drugs; or if there are certain levels of certain drugs in their blood.
- The University operates licensed premises according to the terms of **The Licensing Act 2003**.

### 1.4 Code of Student Behaviour and disciplinary procedures

The **Code of Student Behaviour** outlines acceptable behaviour of students of the University, both on and off the University campus. The University of Portsmouth has common rules and regulations to ensure that students, staff and the wider community can work together to achieve our ambitions without damaging each other's interests.

Disciplinary procedures may ensue if a student's behaviour results in a breach of this Code. Students may be subject to disciplinary action under the University's **Code of Student Behaviour** or the Students' Union disciplinary procedures. In certain circumstances students may have their services withdrawn, be asked to

leave and/or be reported to the police. The University/Students' Union does not wish to criminalise its students or visitors, but it has a legitimate interest in protecting the University community and each organisations' own reputation from the potential consequences of alcohol or drug misuse by students.

It is expected that all students will take personal responsibility for ensuring that alcohol or drug misuse including dealing does not affect work or study performance. Students are also expected to adhere to the restrictions across the University where the consumption of alcohol is prohibited.

Section 5 .1 of the Code states that 'Students on certain professional courses will also be subject to the professional standards that are expected of them at all times. Students will be informed of these standards at the start of the course and this Code is complementary to, and does not replace, these professional standards.'

Where a student has been arrested, disciplinary action against the student may be considered normally only when the police have concluded their process. The University reserves the right to suspend students during a Police investigation if they are deemed to be a risk and/or danger to others. **The Procedure for Dealing with Students under Arrest for a Criminal Offence** should be followed.

Heads of Department or equivalent should follow the procedures for disciplinary action, as laid out in the **Code of Student Behaviour**, against students alleged to have committed misconduct, in relation to drugs or alcohol, and should also advise the student to seek help and advice from The **Student Wellbeing Service** or the **Students' Union Advice Centre**. The Students' Union may follow its own procedures.

Students with alcohol or drug dependency issues will be strongly encouraged and supported to engage with sources of help but will not be exempt from disciplinary procedures resulting from any breach of University or Students' Union regulations.

Students are strongly advised that any disruption of academic, University or Students' Union-related activity due to alcohol or drug misuse will be investigated by the relevant party.

Students should not compromise their own safety by working with or being reliant upon (e.g. as a vehicle passenger) someone who they believe to be misusing alcohol or drugs.

Pressure should never be applied on others to drink alcohol, take or supply drugs. The University and Students' Union support a zero tolerance approach to initiation ceremonies, disrespectful, offensive or exclusive behaviour and the spiking of drinks.

## 1.5 Confidentiality and data protection

All cases will be dealt with in confidence and all personal information will be processed securely in accordance with the General Data Protection Regulation (GDPR) and Data Protection Act 2018. Information may be used by relevant personnel to establish any support that may be needed and to manage the academic relationship. Confidential disclosure of information by students will be honoured except in extreme circumstances where the student or someone else is at serious risk of harm. Students should be aware that if the University or the Students' Union believes that a criminal offence has occurred, the police will be notified accordingly. Otherwise, any personal or special category data processed as part of a disciplinary case will be treated in line with the requirements of the relevant data protection



## 2. Commitments

The wellbeing of the student community is the key driver for this Policy and to enable this Policy's approach of shared responsibility, we have established a set of commitments from key stakeholders:

### 2.1 Students

- Be aware of and understand this Policy, supporting documents and services.
- Engage with information and education about alcohol and drugs to enable healthy and harm reduction choices to be made for themselves and their fellow students.
- Commit to taking personal responsibility for their own actions and behaviour if choosing to consume alcohol or take drugs.
- Be aware of the behaviour of students around them and do their best to ensure their support, safety and wellbeing taking action where appropriate.

### 2.2 The Students' Union

- Education, information and campaign work relating to alcohol and drugs will form part of our commitment to student wellbeing and will be run regularly by the Students' Union, in partnership and agreement with University student support services, to encourage students to make healthy choices.
- We will work with our students to set out (and uphold) clear expectations of student members and our clubs and societies regarding their behaviour relating to drug alcohol consumption on and off campus.
- We will form strong partnership and communication links with the University and City networks for information, education and support relating to drugs and alcohol and work to ensure that students are engaged with relevant messages and services.

### 2.3 University

- Ensure that the University community is proactive with regard to setting and reviewing policy and procedures (including site specific restrictions and processes as appropriate) including available support services and awareness of referral procedures for managing student alcohol/drug related issues .
- Encourage students to comply with the Student Charter and behave responsibly and respectfully towards our neighbours and the local community and do nothing that might damage the University's reputation.
- Provide support services that help to maintain a proactive approach to supporting students to make healthy choices around alcohol and drugs and act as a confidential self-referral facility for students.
- Liaise and communicate with internal and external stakeholders and other alcohol and drug support agencies to help maintain ongoing focus and development of student wellbeing activity with regard to drugs and alcohol.

### 2.4 Portsmouth City Council

- Proactively support the University and Students' Union in delivering a community-based information, advice and guidance approach to student alcohol and drug use.
- Take practical steps to ensure that direct communication and innovations from students are included in the City activity and information relating to alcohol and drugs.

- Deliver support and training for University/Students' Union staff – e.g. knowledge and skills development around alcohol and drugs interventions where appropriate.
- Work with all relevant partners to ensure that students are safe and supported during their time in Portsmouth and that, as residents of the Portsmouth community, they are proactively informed and signposted to the relevant services.

## 2.5 The campus bar(s)

As a responsible retailer of alcohol, The Students Union and the university will adhere to the following best practice:

- Pricing in the bars will be set at a level that encourages students to access the facility but not so low as to encourage excessive consumption.
- The most expensive non-alcoholic drink on sale will always be cheaper than the cheapest alcoholic drink on sale.
- Free drinking water will be provided at the request of patrons.
- 'Initiation' ceremonies involving excessive alcohol consumption will not be permitted.
- Take active steps to maintain the bar(s) as inclusive venues, eliminating a pack mentality residing in activities such as heavy alcohol consumption and 'banter' which is sexist, misogynist, or homophobic, and removing those patrons who display disrespectful or offensive behaviour.
- Strive to ensure that events are accessible for those students who choose not to drink alcohol.
- Be proactive in the provision of healthy drinking and other wellbeing campaign literature in partnership with the Students' Union and City partners.
- Operate a zero tolerance policy regarding illegal drug use including dealing and work in partnership with the Students' Union and City partners in support and/or statutory action as appropriate.

# 3. Procedures to manage misuse of drugs or alcohol-related incidents and those resulting in breach of acceptable and reasonable behaviour

Incidents involving students whilst under the influence of drugs or alcohol should be referred to Security (on extension 3333). Security may contact the Emergency Services depending on the nature or severity of the incident.

Residential Services have established staff guidance for dealing with suspected dealing and illegal substances used in Halls of Residence.

Any accident or incident involving misuse of drugs or alcohol should be reported via the HS1 form and **Accident Reporting Procedure**.

## 4. Support Services

If you have encountered or participated in drug use or are concerned about problematic alcohol use, support is available from the following services:

- Wellbeing - Ext 3466, E: [wellbeing@port.ac.uk](mailto:wellbeing@port.ac.uk)
- Students' Union Advice Centre, Ext 3478
- Chaplains- Ext 3030, E: [chaplains@port.ac.uk](mailto:chaplains@port.ac.uk)
- Residence Life Team T: +44(0)23 9284 3789, +44(0)23 9284 4578 or +44(0)23 9284 3924, E: [reslife@port.ac.uk](mailto:reslife@port.ac.uk)
- GP surgery
- Solent Recovery College T: 07769 647168, E: [SRC@solentmind.org.uk](mailto:SRC@solentmind.org.uk)
- Portsmouth City Council Wellbeing Service T: +44(0)23 9229 4001, E: [wellbeing@portsmouthcc.gov.uk](mailto:wellbeing@portsmouthcc.gov.uk).

## 5. Related policies

This Policy has mentioned and should be read in conjunction with the following policies and guidance documents:

- [University of Portsmouth Code of Student Behaviour](#)
- [UPSU Disciplinary Procedure \(Students\)](#)
- [UPSU Student Groups Code of Conduct](#)
- [University of Portsmouth Student Charter](#)
- [Procedure for Dealing with Students Under Arrest for a Criminal Offence](#)
- [Accident Report Policy \(HS1 Form\)](#)
- [Data Protection Statement: Students](#)
- [Halls of Residence information](#)
- [Student Handbook](#)
- [Library Zones](#)
- Residential Services – staff guidance for dealing with Illegal substances use in Halls of Residence (document available for viewing upon request to Residential Services Head of Department)

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