

# **STUDENT DRUG AND ALCOHOL GUIDANCE**

February 2023

# Contents

Summary	3
What is this document about?	3
Who is this for?	3
How does the University check this is followed?	4
Who can you contact if you have any queries about this document?	4
Scope of guidance	4
Statement	4
1. Student Alcohol and Drugs Guidance	5
1.1 Definitions	5
1.2 Support	6
1.3 Legislation	6
1.4 Code of Student Behaviour and disciplinary procedures	7
1.5 Confidentiality and data protection	8
2. Commitments	8
2.1 Students	8
2.2 The Students 'Union	8
2.3 University	9
2.4 Portsmouth City Council	9
3. Procedures to manage misuse of drugs or alcohol-related incidents and those resulting in breach of acceptable and reasonable behaviour	10
4. Support Services	10
5. Related policies	10
6. Additional Resources	11

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<http://policies.docstore.port.ac.uk/Guidance-073.pdf>

- **Summary**

1. **What is this document about?**

This guidance is part of a University and Students 'Union approach that promotes a safe and supportive environment in which to study, live 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.

2. **Who is this for?**

This Guidance applies to all students in circumstances where there is a risk to themselves or others, or where their conduct or quality of work affects themselves and 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 Guidance also applies to the Unions 'clubs and societies.

3. **How does the University check this is followed?**

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

The guidance will be reviewed and monitored via the Student Services Operational group, University Health and Safety Committee and approved by the University Executive Board. This Guidance will be reviewed as needed and every three years as standard.

4. **Who can you contact if you have any queries about this document?**

If you have any questions about this document please contact the author of the Guidance via [wellbeing@port.ac.uk](mailto:wellbeing@port.ac.uk)

5. **Scope of Guidance**

This Guidance 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.

6. **Statement of Intent**

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 and drug 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
- 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 Guidance

## 1.1. Definitions

- **Alcohol misuse:** the drinking of intoxicating liquor can be detrimental, whereby an individual'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 Guidance 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 Guidance to include possession with intent to supply others, which is a criminal offence and a matter taken very seriously by the Police, University and Students Union. Students involved in this activity will be subject to the Code of Student Behaviour and disciplinary Procedures.
- **Psychoactive substance**
  7. 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).
  8. 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.
  9. 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. These are now more commonly known as Spice or by the name of the substance.
- **Spiking:** Drink Spiking occurs when alcohol or drugs are added to your drink without you knowing it, with the intention to incapacitate another to commit other offences against them. Drink spiking is illegal whether or not a subsequent attack or assault has been carried out. Even if the drink has not been consumed, it can result in a maximum punishment of a 10-year prison sentence and could be longer if an attack, robbery or assault has taken place. Reports of Spiking should be made to the Police as soon as possible to preserve evidence and provide support.
- **Spiking:** Needle spiking when an unsuspecting person is injected with drugs using a needle. This offence is classified as administering a noxious substance (offence against the person act). It has

similarities to drink spiking in that it is carried out in most instances to make persons compliant to rape and serious sexual assault. This offence carries a 14-year maximum prison sentence. Reports to be made to the police as soon as possible and medical advice sought in the first instance.

The University recognises that the majority of students may not be affected by alcohol or drug misuse, but where a student declares that they have a problem, involved in spiking incidents 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](#)).

## 1.2. 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 who may be affected by the University's business.
- **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 works within the legislation of the Road Traffic Act 1988 and the Drug Driving Regulations 2014 when students drive privately and on behalf of the university and in university-owned vehicles.

### 1.3. Student Conduct Policy and disciplinary procedures

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

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 should not compromise their own safety and that of anyone else 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. [The Sport and Club code of conduct](#) sets out the standards expected of Team UoP members.

The **Student Conduct Policy** 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. 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.

**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 **Students Conduct Policy** or the Students' Union disciplinary procedures. In certain circumstances, such as when a student is suspended, students may have their services withdrawn, be asked to leave and/or be reported to the police. Any students found selling drugs or other illegal substances could face being removed from residence halls. The University and the Students' Union do 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.



Section 4.1 of the Policy 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 Policy is complementary to, and does not replace, these professional standards.

Heads of School or equivalent should follow the procedures for disciplinary action, as laid out in the Student Conduct Policy, against students alleged to have committed misconduct, in relation to drugs, alcohol or spiking 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.

Where a student has been arrested, disciplinary action against the student will normally be considered 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 University will follow **The Procedure for Dealing with Students under Arrest for a Criminal Offence** in such cases.

## 1.4. Confidentiality and data protection

All cases where students receive support or are subject to disciplinary procedures 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 to establish any support that may be needed and to manage the academic relationship, wherever possible this will be discussed with the individual prior to the disclosure. 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 legislation.

## 2. Commitments

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

### 2.1. Students

- Be aware of and understand this Guidance, 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
- Be aware of the behaviour of students around them and do their best to ensure their support, safety and wellbeing, taking action where appropriate
- Be an active Bystander and take action as appropriate and in a safe way by Speaking up when seeing or hearing anyone being treated disrespectfully, or in a vulnerable situation.

## 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.
- 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 Guidance 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
- [Team UoP Code of Conduct Policy](#) sets the standards expected of Team UoP members.

## 2.4. Portsmouth City Council

- Provide support to 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.
- Facilitate support and training for University/Students 'Union staff – e.g. knowledge and skills development around alcohol and drugs interventions where appropriate, and how to signpost/refer into specialist services.
- 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
- Ensure students are able to access the city's specialist substance misuse treatment service.

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

Accidents or reportable injuries 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.

Estates and Campus Services has established staff guidance for dealing with suspected dealing and illegal substances used in all Halls of Residence.

Any accident of reportable injury should be reported centrally via service manager portal (Link: <https://live.hornbill.com/uopservicedesk/catalog/new-service-request/com.hornbill.servicemanager/395/1370/>) following the incident/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** – provides personal and emotional support, mental health support and counselling for all students. They can offer face-to-face or virtual appointments with some evening appointments subject to availability. Ext 3466, E: [wellbeing@port.ac.uk](mailto:wellbeing@port.ac.uk)
- **Students' Union Advice Centre** - offers confidential, impartial and non-judgemental support. They can signpost or refer you to university support services if you're worried about your mental health or misuse of drugs and alcohol. They deliver advice and guidance on a range of academic and university issues that may affect student's experiences. This means helping students understand university policies and procedures as well as supporting students in university meetings. This independent service works closely with the University of Portsmouth to resolve issues and ensure students are treated fairly.  
T: +44(0)23 9284 3478 Ext 3478
- **Chaplaincy** - a safe and inclusive social space open to all students, regardless of your values and beliefs. Facilities include The Sanctuary, confidential support, Islamic prayer rooms, and information about other support services and local places of worship  
Ext 3030, E: [chaplains@port.ac.uk](mailto:chaplains@port.ac.uk)
- **Residence Life Team** - support for students living in halls and in the private accommodation including help if you need to self-isolate in private accommodation due to Covid. Also provides help and advice with: health concerns, homesickness, relationship problems (e.g. with housemates), noisy neighbour, etc.  
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** - Health professionals at GP surgeries, like the Practice Nurse, can offer help in areas such as misuse of drugs and alcohol, contraception, cervical smear tests and flu jabs, and a range of other physical and mental health conditions.
- **Solent Recovery College** - can help you become an expert in managing your mental health and tackling misuse of drugs and alcohol by empowering you to take control of your recovery journey. Taught in a

classroom setting and now online via Zoom, students can learn practical skills for living with on-going symptoms and learn how to get the best from mental health services in a safe and confidential space. The courses are not therapy; they are an opportunity to learn new skills in an educational environment. T: 07769 647168, E: [SRC@solentmind.org.uk](mailto:SRC@solentmind.org.uk)

- [Portsmouth Recovery Hub](#) - confidential advice and support around drug and alcohol use for adults (including the availability of a dedicated worker for 18-24 year olds)  
T: 023 9229 4573 E: [recovery.hub@ssj.org.uk](mailto:recovery.hub@ssj.org.uk)

## 5. Related policies and Guidance

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

- [University of Portsmouth Code of Student Behaviour](#)
- [Student Wellbeing and Mental Health and Guidance](#)
- [Students Causing Concern: Staff Guidance](#)
- [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 Guidance \(HS1 Form\)](#)
- [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)
- [Team UOP Sports Club Guidance](#)

## 6. Additional Resources

### Alcohol

- **The NHS Drink Free Days** is a simple and easy way to track the days you drink alcohol and the days you don't.
- **The NHS Live Well website and NHS Leaflet 'Alcohol and You'** includes information on safe levels of drinking, patterns of drinking, how to help yourself or someone else you might be worried about.
- **Drinkaware** – features the latest UK government medical advice about alcohol - do you know how many units are safe?

## Drugs

- Find out about the effects drugs have on the body.
- DrugWise provides a summary about UK drug law.
- The Talk to Frank website aims to provide up to date drug information and where to get help.
- The NHS Live Well website – covering drug addiction and where to get help.
- WHYNOTFINDOUT - lots of information about legal highs - films, booklets and interviews with experts.
- Drugs and Me - harm reduction guide to safer drug use.

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