

Lucan Community College  
Esker Drive  
Lucan  
Co. Dublin

## Substance Misuse Policy

Last Update: 22 March 2021

Ratified by Board of Management

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

(Chairperson of Board of Management)

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## **SECTION 1: INTRODUCTION**

The following policy applies to students, parents/ carers, staff of the College and other permitted users of the College building in locations included in Appendix 1.

### ***1.1 Relationship to School Aims***

This policy acts in support of the Aims of the school which state “There is no tolerance of activities that would cause any member of the school community to feel threatened, alone, insignificant, victimized or unsafe in any way”.

It is in practice, furthermore, part of the active supportive pastoral care structure and code of behaviour and relates to other policies which promote the ethos and aims of the College. Lucan Community College asserts its right to protect and promote its ethos and aims by requiring the highest standards of behaviour and by prohibiting practices adverse to them.

### ***1.2 Rationale***

The prevalence of tobacco, alcohol, drug and substance misuse in society at large and in all communities poses challenges for the school community. It also provides opportunities in its role as an important social partner in providing awareness and education as to the dangers inherent in their misuse.

The Education Act 1998 provides that schools promote the social and personal education of students and provide health education for them.

This policy is supported by the strategic plan adopted by the government under the National Drugs Strategy 2017-2025, and with circulars 18/02 and 23/10 and with the child protection policy of the college.

Lucan Community College recognises that drugs, alcohol, tobacco and other substances dealt with in this Policy, are available to young people in the communities we serve.

The Board of this College and Dublin and Dún Laoghaire ETB realise that it is one of their responsibilities to reduce the threat that the availability of drugs and other substances poses to the academic, social, emotional, and general health and safety welfare of the school community, and especially its students. This is done by means of:

- education programmes;
- clear policy and practices in relation to the investigation of incidents;
- maintaining a low tolerance threshold in relation to misuse of the substances to which this policy refers;
- and ensuring education for staff and Board members regarding such misuse, so that they can appropriately act to detect, counsel, give advice, act as role models for students, or make good judgements in respect of incidents referred or appealed to them.

## **SECTION 2: SCHOOL POLICY ON DRUGS, VOLATILE SUBSTANCES, ALCOHOL AND TOBACCO RELATED PRODUCTS**

### ***2.1 Drugs and volatile substances***

Lucan Community College, in meeting its legislative requirements, implementing its duty of care to students and staff, and in compliance with Health and Safety requirements neither accepts nor tolerates the possession, use or supply of any substances banned under the Misuse of

Drugs Act, nor of mind-altering substances, nor of volatile substances, no matter what form these might take, nor of any form of substance misuse paraphernalia. This will apply within the College area, on school trips or outings or during any activity organised by the College (see Appendix 1).

Where students are required to take medically prescribed drugs the College should be notified by parents/carers in accordance with the prescribed school procedures, and such medicines shall then be excluded from the application of this policy.

## **2.2 Alcohol**

Lucan Community College, in meeting its legislative requirements, implementing its duty of care to students and staff, and in compliance with Health and Safety requirements neither accepts nor tolerates the possession of, nor the consumption of alcohol by students within the locations or on the occasions referred to in Section 2.1 above. The Principal with the sanction of the Board of Management may make provision on exceptional occasions for adults not students at Lucan Community College to be given derogation from the policy's provisions in relation to the stocking and consumption of alcohol on the premises.

## **2.3 Tobacco**

Lucan Community College, in meeting its legislative requirements, implementing its duty of care to students and staff, and in compliance with Health and Safety requirements operates under the terms of The Public Health (Tobacco) Act 2002, 2009 and 2010 which states that smoking is illegal in schools and in their yards and grounds. The manager of a school is liable to fine under that legislation if it is discovered that smoking has been allowed to take place within those areas. Lucan Community College shall comply in every respect with its obligations under that legislation, and, in regard to students, parents, visitors and authorized users of the College building, it reserves the right to take whatever reasonable action is necessary to ensure it does so at all times.

# **SECTION 3: PROGRAMMES FOR EDUCATION ON ALCOHOL, TOBACCO, VOLATILE SUBSTANCES, AND DRUGS**

## **3.1 Student Programmes**

3.1.1 Lucan Community College provides age-appropriate education for students on the personal social and health effects of the misuse of the substances to which this policy relates and in relation to the development of positive approaches and skills which reduce the danger of engaging in such misuse, generally in Junior Cycle under the SPHE, CSPE, Science, Home Economics and Wellbeing programmes, in Transition Year in the specially designed Health Education module, and in Leaving Certificate Applied through the Social Education module.

3.1.2 Our educational aims are:

- To increase the self esteem and confidence of our students
- To equip our students with personal and social skills
- To enable our students to make informed, healthy and responsible decisions
- To provide clear and age appropriate information on drugs
- To minimize the harm caused by drug abuse by offering supportive interventions.

3.1.3 Special interventions in the form of dramatic presentations, visiting speakers and projects, etc., may be used to develop positive strategic decision-making by students.

- 3.1.4 Encouragement of Sport and other Extra-Curricular Activities as healthy counter-balances to drug and alcohol-related adolescent culture are provided by means of the voluntary and caring attitude of the College staff.
- 3.1.5 Guidance and Counselling Programmes may also contribute in this regard.

### **3.2 Parents**

- 3.2.1 Parents/carers are the primary influences in the moral education of their children in respect of the behaviours to which this policy refers. Lucan Community College accordingly relies upon them to play their full role in partnership to inform their children concerning the dangers of substance misuse.
- 3.2.2 The College expects all parents/guardians who enrol children in the school to acknowledge the importance of the supportive programmes and advice it provides to students in relation to substance misuse, and expects all parents/guardians to assist and co-operate fully as it seeks to deal justly and effectively with any incident that may arise.
- 3.2.3 The College will inform parents/guardians as to how school programmes contribute to the education of their children on substance misuse, and encourages and welcomes through the Parents Association and from individual parents/guardians, proposals regarding the best use of community resources in pursuance of programme and policy implementation.
- 3.2.4 The College will employ its excellent partnership arrangements with An Garda Síochána and local support services in support of substance misuse education.

## **SECTION 4: PROCEDURES FOR MANAGING AND INVESTIGATING REPORTS OF ALCOHOL, DRUG, SUBSTANCE MISUSE OR TOBACCO SMOKING INCIDENTS**

### **4.1 General procedures**

In the event of a misuse incident Lucan Community College will at all times seek to achieve a balance between the welfare of the student/ students who are the subject of a report, the welfare of the College community, the reputation of the school and legal considerations.

As a report regarding alleged misuse of alcohol, drugs or a volatile substance may lead to proceedings of the Board of Management, the school will carefully ensure that natural justice and due process apply to dealings with students and parents/carers in any investigation, report and follow-up.

### **4.2 Investigating incidents involving substances other than tobacco**

Incidents involving alcohol, drug or other substance misuse might include

- Observed use or suspected use of such substances in the locations or during activities listed in Section 2a;
- Observed intoxication/ unusual behaviour;
- Disclosure alleging their use;
- Finding of these substances and/or associated paraphernalia;
- Possession, use and/or supply of such substances in the locations or during activities listed in Section 2a;
- Other.

Procedures for responding to such an incident might include:

- 4.2.1 Where, arising from a report, there is a clear and apparent danger to students, to the College community and/or its good name, the school reserves the right to suspend any student involved in a suspected substance misuse situation immediately, pending further and complete investigation of the incident.
- 4.2.2 Completion of an Incident Report Form by staff member who observes or receives report of (suspected) incident.
- 4.2.3 Lucan Community College will take all steps required to fully investigate and assess any substance misuse incident or alleged incident and will take whatever reasonable time it deems necessary to do so.
- 4.2.4 The College will take possession of any banned or prohibited substances and drug paraphernalia associated with a misuse incident, carefully recording all such items and securely retaining them pending completion of the investigation, unless otherwise instructed by appropriate outside agencies.
- 4.2.5 In the event of an incident, the school will seek statements from all persons involved in, concerned with, or having knowledge of the incident and will record these statements.
- 4.2.6 The school will maintain a written record of all stages of the investigation of an incident, including records referred to in the above steps, communications with other people or of agencies involved or concerned with the matters under investigation, the investigation outcome, decisions taken and the rationale for these decisions, any penalties or disciplinary measures imposed following an investigation, and the management and outcome of any appeal that may arise following an investigation.
- 4.2.7 The College, at its own discretion, will liaise with any appropriate outside authority (including an Garda Síochána) and seek advice or assistance, as it deems appropriate in relation to its investigation of an incident, including legal, technical and support advice. The College shall support any proceedings if an investigation by the relevant authorities into any such incident is deemed appropriate.
- 4.2.8 If the circumstances of a continuing investigation warrant it, Lucan Community College will report on the full particulars of the incident as known to the school to the students concerned and to their parents/guardians in the following manner:
  - Details of all findings deemed relevant to the position of the student concerned and to the nature of the complaints or allegations that a student is facing will be made available to the student and his/her parents/guardians—with due regard to data protection and legal considerations—in reasonable time to permit the student an opportunity to make his/her own reply to the matters at issue and any representations that he/she would wish to make or have made on his/her behalf;
  - The school will allow the student concerned and his/her parents/guardians reasonable time, to respond to the matters at issue. The school will take into account any response so made and any other relevant extraneous considerations or mitigating circumstances that may be appropriate to the specific case;
  - The College shall, in reasonable time, inform the student and his/her parents/guardians of its findings and the reasons for these. Where the student is found to have been guilty of or involved or implicated in an incident, the intended penalty or sanctions will also be indicated.
- 4.2.9 Where an incident has been investigated and verified to the satisfaction of the Principal, Lucan Community College shall implement disciplinary actions or sanctions including, but not limited to:
  - oral or written warning, suspension of up to five school days at the discretion of the Principal;

- suspension of longer than five school days, and/or permanent exclusion on the decision of the Board of Management.
- 4.2.10 Lucan Community College recognises that the ultimate sanction of permanent exclusion or prolonged suspension may have the effect of alienating a student from mainstream sources of support and may result in a student so sanctioned becoming more involved in a culture of drug misuse.
- 4.2.11 The Board of Management can, accordingly, at its sole discretion, postpone or alter the issue of sanctions to take account of mitigating circumstances or representations it considers should be taken into account.
- 4.2.12 The Board will be guided in this by consideration of the potential degree of danger to other students and to the College which may arise from its decision.
- 4.2.13 The College will also ensure that pastoral and counselling support is offered to student(s) and parents/guardians affected by an incident of substance misuse.

### ***4.3 Investigating incidents of Smoking of Tobacco***

Incidents involving smoking of tobacco might include:

- Observation, report or suspicion of tobacco smoking in those locations or during those school or school-related activities listed at Section 2.1 above;
- Finding of tobacco products, tobacco simulating products and/or associated paraphernalia (lighters, matches, rolling devices, vaping devices, electronic cigarettes etc.) in possession of students in those locations or during those activities listed at Section 2.1 above.

Investigation of such incidents will take place as part of the normal pastoral/management procedures. Sanctions on determination of an infringement of the policy will include fines as prescribed at the time of offence and may include other sanctions under the Code of Behaviour at the discretion of the Principal or, where delegated, Deputy Principal or Year Head. Under the provisions of The Public Health (Tobacco) Act 2002 and subsequent amendments, any instance of tobacco smoking in the school must be reported to the Principal, Deputy, Director of Adult Education, Year Head or relevant deputized person.

## **SECTION 5: INVOLVEMENT AND RESPONSIBILITIES OF VARIOUS PARTIES IN INCIDENT INVESTIGATION**

### ***5.1 Role of school personnel***

The Principal of Lucan Community College holds overall responsibility and authority for the administration of all matters concerned in the investigation of a substance misuse incident. The Deputy Principal, Year Head, a Guidance Counsellor, or, in the event of a school trip, tour or visit, the leader of the group involved, may be delegated to act on the Principal's behalf where that is deemed fit, or asked to assist in the investigation with the Principal.

The duties of Principal (or her/ his delegate) in an incident investigation include:

- 5.1.1** Receiving and dealing with reports of suspected or actual misuse incidents;
- 5.1.2** Making all decisions regarding investigation of reported incident; communication with, liaison with, and reporting to relevant parties; disclosure of information regarding an investigation;

**5.1.3** Maintaining securely and confidentially all associated written documents and records, and keeping relevant parties properly informed as to investigation developments;

**5.1.4** Taking possession of any banned or prohibited substances or attendant paraphernalia which is discovered on the College premises and deciding on secure storage of and/or disposal of such on appropriate advice.

### **5.2 Duty of Care**

In addition to the communication process referred to in Section 4 above, the Principal of Lucan Community College (or her/ his delegate), as part of the school's duty of care, may also contact parents/carers of a student about whom there is sufficient concern and/or no definitive outcome to an investigation such as would lead to the invoking of sanctions. In such a case the College may still share any available information that might help parents/carers attend to their child's health and wellbeing, without prejudice to the school's separate and independent duty to investigate and manage a misuse incident reported.

### **5.3 Confidentiality**

In investigating and managing a report of substance misuse, Lucan Community College will attempt in so far as is practicable to limit investigation to those students properly identified as directly concerned with the reported incident.

Nevertheless, the College advises students and parents/carers that:

**5.3.1** While in every possible circumstance information given by students during a misuse investigation will be treated carefully and confidentially, the duty of the Principal and staff may in certain circumstances preclude them from offering total confidentiality;

**5.3.2** In given circumstances the Principal may be obliged under statute, regulations or DES guidelines to contact authorities such as an *Gárd Síochána*, the Probation Service or the Health Services Executive as appropriate under statute, regulations or DES guidelines, either during an investigation, or concerning the outcome of the investigation;

**5.3.3** In the event of media inquiries concerning any investigation of a misuse incident or suspected incident, no comment will be made by the College while the investigation is on-going, apart from reference to the existence of this policy and its procedures. However, Dublin and Dún Laoghaire ETB may clarify the College position after full completion of the investigation, should it deem it appropriate in the interest of the school's reputation.

## **SECTION 6: TRAINING AND DEVELOPMENT**

Lucan Community College will provide training for staff, Board of Management members, parents/guardians and students in relation to substance misuse.

### **6.1 Staff**

**6.1.1** The College will provide or facilitate attendance at training in the delivery of education programmes concerned with alcohol, tobacco, drugs/ volatile substances.

**6.1.2** The College will provide specific training to senior staff in the management and investigation of substance abuse incidents where available.

### **6.2 Parents/guardians and Board of Management**

**6.2.1** The College will make available opportunities to attend information sessions/ meetings in relation to the misuse of drugs, alcohol and volatile substances.

**6.2.2** Dublin and Dún Laoghaire ETB will provide appropriate information, guidance and



support to the Board regarding investigation of incidents, and adjudication on incident investigations.

### **6.3 Students**

The College will offer all students educational programmes relating to alcohol, tobacco and drugs education within the context of appropriate Junior Cycle, Transition Year and Leaving Certificate programmes.

## **SECTION 7: MONITORING, REVIEW AND EVALUATION OF THE POLICY**

The Board of Management of Lucan Community College shall monitor the operation of this policy and related procedures, and shall review and evaluate it every three years in order to ensure legal compliance and the maintenance of best practices.

## **APPENDIX 1**

### **DEFINITIONS**

It is intended that this appendix should define specific or technical phrases used within the Policy document in a jargon-free manner for the benefit of all parties with the potential to be affected by the Policy: students of Lucan Community College, their parents or carers, the school staff, permitted users of the College, the Board of Management and Dublin and Dún Laoghaire ETB.

#### ***The College/ the school area***

Where indicating a location, these terms are to be taken as including all the buildings, grounds, play areas, the turning bay in front of the front gate, the perimeter path; public areas which students might traverse or congregate on their way to or from school, or during lunch time; where, on a school day, a student is not legitimately absent from school but is present in the local community and open to its scrutiny being an identifiable member of the school community; on school trips or outings or any other activity organized by the College.

#### ***School Trips or Outings***

These terms are to be taken to include any departure of a group outside of the school grounds arranged by a teacher or teachers as either a voluntary activity or as a required part of students' educational programmes. They include during the day, for example, very short local walks for the purpose of field study, visits to museums or galleries, and travel to and participation or support at sporting, social or cultural events as well as all day long travel to more distant events. They equally include night visits to theatre, cinema or lectures, and also journeys which necessitate travel abroad.

#### ***Other school-related activity***

This phrase applies to extra-curricular activities when they take place outside the school grounds or to any other function organized by or on behalf of the school though not within the College buildings nor grounds.

#### ***Banned or Prohibited Substances***

- a. This phrase includes all substances covered by the Misuse of Drugs Act and alcohol.
- b. In the case of students it also covers:
  - volatile substances no matter what their form. Volatile substances may include (though not exclusively) glues, gases, hair spray lacquers, Tippex type products, many marker inks;
  - mind-altering substances (any substance which can lead to the intoxication of a student or can result in them being left in a psychologically altered state).
  - prescription medicines for which Lucan Community College does not have validation by way of parent notification.
- c. Lucan Community College reserves the right to determine that a substance found in the school, or on an occasion when this Policy applies, qualifies as a banned or prohibited substance.

### ***Drug or Substance Misuse Paraphernalia***

- a. This phrase applies to all banned/ prohibited substances as previously defined, but in addition to any items that may be deemed to be used, or being held for use in the taking of such substances.
- b. It will also be taken to include any written, printed, recorded or graphic material (including the exhibition of such material on clothing) appearing to promote or support the taking of banned/ prohibited substances.

### ***Misuse Incident***

Any incident relating to banned or prohibited substances that occurs in Lucan Community College, on school trips or outings or at any other school-related function, all as defined above.

### ***Parents/Carers/Guardians***

For the purposes of this Policy, parents/carers are to be taken as including natural parents, foster parents, step parents or guardians of the students concerned, whichever is applicable, or any person acting in loco parentis, either on a permanent or temporary basis, at the time of the incident.

### ***Principal***

In this Policy, reference to the Principal should be taken to mean the principal of Lucan Community College as appointed by Dublin and Dún Laoghaire ETB and defined in the Education Act 1998, and the Education Welfare Act 2000 or the Deputy Principal where the Principal is either not available, or where the latter has delegated responsibilities and authority in relation to the implementation of this policy to the Deputy Principal, or, in respect of an investigation, a duly delegated Year Head.

## APPENDIX 2

### RECORD OF REVIEW PROCESS

#### *March 2021 review*

##### *Table of changes*

Page	Change
Throughout	Correction of typos and improvement of phrasing
Throughout	Inclusion of more recent legislation and circulars
1	Change of Last Updated Date
2	Slight change of wording in rationale paragraph 1
2	Updated to 'the National Drugs Strategy 2017-2025'
3	Bullet points inserted at end of section 1
6	Insertion of 'immediately' in 4.2.1
7	Change wording to 'under the Code of Behaviour' in section 4.3
11	Removal of 'for the time being'
12	Update of Appendix 2

#### *Jan 2017 review*

##### *Effectiveness of policy*

- Successful examples recorded of communicating information to parents/guardians about concern about a student's possible involvement with illegal substances and guidance regarding supports available.
- Strong sanctions up to and including expulsion have been applied when misuse incidents have involved intention to supply illegal substances in school or to involve other students in substance misuse.
- Preventative effect of this policy has resulted in very few incidents on record of substance misuse associated with the college.

##### *Table of changes*

Page	Change
Throughout	Correction of typos and improvement of phrasing

Throughout	Replacement of Co Dublin VEC with Dublin and Dún Laoghaire ETB
Throughout	Improvement of numbering system of sections and correction of contents
Throughout	Inclusion of more recent legislation and circulars
Throughout	Inclusion of he/she and relevant pronouns throughout
3	Insertion of 'in locations included in Appendix 1'
3	Insertion of 'and code of behaviour'
4	Insertion of educational aims section 3.1.2
4	Insertion of 'visiting speakers' in 3.1.3
5	Replacement of 'Lucan Youth Services' by 'local support services' in 3.2.4
5	Insertion of 'and legal considerations' in 4.1
6	Insertion of 'securely' in 4.2.4
6	Replacement of 'at the discretion of the school' to 'with due regard to data protection and legal considerations' in 4.2.8
6	Insertion of 'reasonable time' throughout 4.2.8
6	Insertion of 'to the satisfaction of the Principal' in 4.2.9
7	Insertion of 'tobacco simulating products' and 'vaping devices, electronic cigarettes' in 4.3
7	Insertion of 'secure storage of and/or' in 5.1.4
8	Insertion of 'sufficient concern and/or' in 5.2
9	Replacement of 'Staff Council' by 'Board of Management' in section 7.
10	Replacement of 'dressed in College uniform' by 'an identifiable member of the school community' in Appendix 1.
10	Removal of specific examples of foreign trips in Appendix 1.
12	Insertion of Appendix 2.