

Drugs and Alcohol Policy for Students



**Harper Adams
University**

2023/24 update

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1. Introduction

The University recognises that alcohol and drugs will play a part in the lives of some people. At its sole discretion, Harper Adams University may be sympathetic to problems arising from misuse of these substances whilst not condoning such misuse or illegal activity. The University has a commitment to enhancing the health and safety and wellbeing of students and recognises the risks that may be caused by the misuse of alcohol, drugs and other substances. The University in no way condones the misuse of drugs or alcohol, and will consider, on a case by case basis, the balance between disciplinary action, education and appropriate support for students who misuse them.

The policy aims to facilitate the early identification of such problems, including responding to the concerns of others. The University aims to encourage students to seek advice, help and assistance *voluntarily* before their studies, their health, their wider student experience, or that of others, become adversely affected. The University will achieve these goals through educational, counselling and disciplinary approaches. Wellbeing staff will provide guidance as to where professional assistance is available and students are expected to demonstrate meaningful engagement with any support available to them.

2. The Legal Context

The Drugs and Alcohol Policy for Students, “Student” shall mean any Undergraduate (including Apprentices) or Postgraduate student studying or registered at the University. For the avoidance of doubt this shall also include all Postgraduate students registered with “writing up.” The Policy shall also to apply to graduands, alumni and visitors to the campus in relation to the operation of the policy, including access to Students’ Union bars, events and activities.

The law regulating dangerous and otherwise harmful drugs is the Misuse of Drugs Act 1971, which makes it clear that it is an offence for ‘the occupier or someone concerned in the management of any premises knowingly to permit or suffer on those premises the smoking of cannabis; or the production, attempted production, supply, attempted supply, or offering to supply of any controlled drug’. It is also an offence for any person to have a controlled drug in their possession, with the exception of lawful authority and prescribed drugs.

The University’s [Student Conduct and Disciplinary Policy](#) identifies the possession of unlawful drugs, or controlled prescribed drugs without a valid prescription, or psychoactive substances, with or without the intent to supply as matters of serious misconduct. The possession of paraphernalia linked to using unlawful or controlled controlled prescribed drugs without a valid prescription or psychoactive substances may also be considered as indicative of possession of such substances and may lead to further investigation and/or disciplinary action. It further considers how substance abuse can play a part in other forms of misconduct, e.g. driving under the influence alcohol or drugs; drunk and disorderly behaviour; anti-social behaviour.

The Health and Safety at Work Act 1974 requires the University to do what is reasonable to protect the health and safety of staff, students and visitors. Drug and alcohol misuse can have an impact on the health and safety of an individual and others, for example students in shared accommodation or staff having to handle illegal substances and drug-related paraphernalia.

The University has a responsibility to uphold the law. Students who contravene the legislation outlined above, will be subject to disciplinary action by the institution and this may include reporting incidents to the Police, in particular, when items have been seized. Students should familiarise themselves with the Student Conduct and Disciplinary and Student Health and Wellbeing Policy, including in relation to Support to Study, and for students on Veterinary Medicine and Veterinary Nursing programmes, Fitness to Practise.

Graduands, alumni and visitors who contravene the legislation outlined above will be subject to referral to the Police and will not be permitted to return to the University premises, including Students' Union bars and events.

3. Swabbing and Searches

Where there is physical evidence of illegal substances having been used on campus, the Security and Portering Manager and the Head of Student Services or appropriate nominees will be informed. Appropriately experienced staff will then remove, record, photograph and store the evidence, including drug paraphernalia, for safekeeping. The University has a legal obligation, under the protocol, to report all such cases to the Police and to hand over any evidence, which has been seized. The Head of Student Services will also inform the Vice-Chancellor.

The Security and Portering Manager and the Head of Student Services, or appropriate nominees, have the power to search and/or swab University premises, including the bars and other social and communal areas and individual student rooms and residential communal spaces, where there is reasonable suspicion that illegal activities are taking or have taken place. Searching of, or swabbing in, *communal* areas will normally take place without prior notice being given.

The Head of Student Services will consider with relevant staff, and Police where appropriate, the option of searching University premises. The decision will normally be made within 48 hours of notification of an incident or concern. The Head of Student Services, or nominee, will inform the student(s) directly of any internal action to be taken. In bedrooms with joint occupancy, both parties will be informed and invited to be present.

Due to the intrusive nature of bedroom/accommodation searches, these will be conducted with professionalism and in a way that respects the rights and dignity of the resident student(s).

Searches will be carried out by a proficient member of staff, in the presence of a colleague wearing a body worn camera, and in the presence of the Head of Student Services or appropriate nominee, to provide support and advice to the resident student(s) should they

be present.

If the student is not present, the University still has the right to search and/or swab the room, if there is reasonable suspicion that illegal activities are taking place. The Head of Student Services, or nominee, will inform the student promptly and directly of any action to be taken.

4. Investigation

Where breaches of the University's Student Conduct and Disciplinary Policy are suspected, and in all cases where evidence has been seized, a formal investigation will take place, following the procedure for serious misconduct, as outlined in the Student Disciplinary Policy. Disciplinary action may be taken against students involved, including interim measures where appropriate, in order to manage risk. Where appropriate, the process may also be used to educate and support students alongside any agreed penalties. Interim disciplinary action or safeguarding measures may be taken whilst a Police investigation is carried out, should this be initiated following a report of seized items.

5. University Bars

The University reserves the right to operate drugs testing as a condition of entry to the University bars and other social areas or events. The focus of drugs testing will be for monitoring and as an *indicator* of the presence of drugs. Testing is also carried out for awareness raising and education purposes including training exercises in this field in conjunction with West Mercia Police and other appropriate professional bodies.

The Head of Student Services, as Designated Premises Supervisor, or appropriate nominee, in agreement with the Students' Union Director and Venues Manager, will arrange for announced and unannounced spot checks for drugs from time to time at the entrance to, and inside, the university bars and Students' Union events and other social areas.

Those persons seeking entry to the University bars (or other social areas) or those already inside the premises at the point when a spot check takes place are expected to comply with the spot check by allowing their hands to be swabbed for drugs.

Where an individual is requested to submit to a swab and:

- Evidence of drug use is found, the student will be required to hand in any drugs to relevant staff, or submit to a search by trained security staff, immediately. If evidence is found and the student co-operates fully, section 4 of this policy will apply. If however, a student refuses to cooperate and/or to hand over any drugs in their possession, the Police *may* be called to investigate the matter formally. In both instances the student will be required to leave the premises and the University will carry out an investigation, the student will be banned from social areas and events pending an outcome of the investigation.
- Refuses to be tested for drugs, the student may be requested to submit to a search

and will be required to leave the premises. Unless a reasonable explanation for failure to comply can be provided, to satisfy the University and Students' Union Management, the student(s) concerned may be banned from the bars for 4 weeks or other period, at the discretion of the Head of Student Services or nominee, and SU Management. Swabbing will be carried out as a condition of entry upon return.

- Has consecutive positive tests, section 5 of this policy will apply. The University will carry out an investigation and the student will be banned from social areas, pending an outcome.

In all cases where students who test positive are resident on campus, the University reserves the right to carry out a search and section 4 will apply.

6. Police Investigation

Students should be aware that possession of unlawful drugs may lead to a formal caution, as a minimum penalty, for a first offence. Students should note that a police caution is included on all police records, will be included in a Disclosure and Barring Service (DBS) report and may restrict future employment prospects, volunteering opportunities involving children and may prohibit travel overseas and similar activity.

It should be noted that Sniffer dogs and/or other police led checks, including for training purposes, may also take place at any time and in any place on the University campus, including the University bars or during any social/sports activities, including Students' Union events and activities, anywhere on campus. In such cases, the police will determine the follow-up actions to be taken rather than the University, the University may implement interim penalties until such time that investigations are complete.

Where students are living in University accommodation their residential agreement specifically prohibits the misuse of drugs on University premises. Students who fail to comply with the terms of the contract may be served with a 'notice to quit' and required to vacate the premises. Support to find alternative accommodation in the private sector will be provided by Student Services but any additional costs will be borne by the student.

7. Support and Advice

The University regards an individual's dependency on either drugs or alcohol as a serious health problem with consequences for assessments of fitness to study, consideration will be given to cases of dependency, in line with the [University's Student Health and Wellbeing Policy](#) and Support to Study Procedure. If a student reports the matter to Student Services or their Course Tutor and agrees a programme of rehabilitation, then the University will allow reasonable absences for advice and/or treatment as 'sick leave' and will take this into account when assessing course work and exam results, provided the student has kept their Course Manager/Course Tutor informed of their progress and it is clear that they are attempting to resolve any difficulties they may have. Students must provide confirmation

from the Wellbeing Services team, their GP or an external agency if appropriate to confirm their attendance and progress. Confidentiality will be respected.

For those wishing to discuss problems related to the use of drugs or alcohol, advice is available from Student Services, Wellbeing Services, Students' Union, by accessing the [Wellbeing Services Sharepoint](#) site and/or the Student Assistance Programme (SAP).

If a student believes that someone has difficulty in controlling their use of alcohol or drugs they should encourage them to seek support. If they are concerned that they are a danger to themselves or others it is recommended that a member of staff be informed, for example the Head of Student Services or Course Tutor. Support can also be provided by the local GP practice, Linden Hall Surgery who will make referrals to local support units, clinics or groups, likewise, Wellbeing Services can assist students in making self-referrals through various support pathways. Further details of support available can be found on the government website www.drinkaware.co.uk and www.talktofrank.com

Staff will not provide direct advice on substance misuse but will provide guidance as to where professional assistance is available and students will be supported through this process. Additional support may be offered, where appropriate, by the Counsellor or Mental Health Adviser.

8. Education

The University and Students' Union will endeavour to increase awareness and understanding of drug and alcohol related issues in a number of ways, namely:

- Publicity material to raise student awareness e.g. posters and leaflets.
- Training will be provided to relevant staff and Student Life Reps.
- By incorporating drugs and alcohol awareness sessions into student induction programmes.

9. Conclusion

The University has responsibilities to its students and staff and recognises the importance of providing a safe place to work and study.

The University will ensure that appropriate support and advice is available to students but may also, at its discretion, take disciplinary action for acts of misconduct and where illegal activities are taking place, particularly when they endanger the individual student or other members of the University.