STUDENT ALCOHOL AND DRUGS POLICY

Applicable to all cohorts of students from 1st September 2018

Approved by Senior Executive Group
30th April 2018
Student Alcohol and Drugs Policy

1. Policy Statement

The University of Liverpool is committed to ensuring that the use of alcohol and drugs does not have an adverse effect on the working and social conditions of the University's students, staff and visitors. Students and staff are reminded that it is a criminal offence to produce, supply, possess, or import a controlled drug, as defined under the Misuse of Drugs Act 1971. It is also a criminal offence to produce, supply, possess with the intent to supply, or import psychoactive substances, as defined under the Psychoactive Substances Act 2016.

Any student who is concerned about their use of alcohol or drugs is encouraged to seek support. Confidential advice and support is available from the Student Health Service, the University Advice and Guidance Team, the University Counselling Service and Liverpool Guild of Students. Students who disclose personal use of alcohol or drugs would not normally be referred for consideration under the University's Policy on Student Conduct and Discipline if they reach out for support.

Students who are registered for a programme that is subject to the University’s Fitness to Practise Procedures are expected to seek support at the earliest available opportunity. Failure to do so may constitute a fitness to practise concern.

If you believe that a student has difficulty in controlling their use of alcohol or drugs, you should encourage them to seek support. Excessive drinking or drug use may be an outward sign that they are under stress and may need help.

Information and links to external agencies are available on the Brownlow Health web pages:
http://www.brownlowhealth.co.uk/students/alcohol/
http://www.brownlowhealth.co.uk/leaflets/drugs-alcohol/

2. Scope of Policy

2.1. All students studying on any campus of the University are subject to the provisions of this Policy and its Procedures.
2.2. The University's disciplinary jurisdiction over students' conduct related to alcohol and drugs is not limited to that exercised solely on University premises or solely within term-time. Students' behaviour off campus and displayed during vacations, weekends, and evenings in University Accommodation or on placements and field trips, is subject to scrutiny under this Policy and its Procedures. Such cases will be considered in their wider context and action will only be taken under the University's disciplinary procedures where it is considered proportionate and/or relevant to the student's course.

2.3. Clause 5.5 of the Accommodation Agreement outlines students' responsibility for the conduct of their visitors and guests. Students in University Accommodation may be held liable for guest misconduct and may be referred for investigation under the University's Policy on Student Conduct and Discipline.

3. Definitions

3.1. Drugs:
- All controlled drugs listed in the Misuse of Drugs Act 1971 and any substance covered by the Psychoactive Substances Act 2016.
- Prescription Only Medicines (as determined under the Medicines Act 1968) where the prescription medicines have not been prescribed for the person possessing or using them and/or such prescription medicines which are not taken in accordance with an appropriate practitioner's (as defined under UK Law) direction.
- At the time of discovery, the use of the term 'drug' will be used without prejudice. The name of a substance should only be used if it has been positively identified as a controlled substance, a substance covered by the Psychoactive Substances Act, or a prescription medicine.

3.2. Supply:
- The transfer of physical control of a drug to someone else. It is not important whether there is a profit or benefit of any form, although this may be reflected in any decision regarding disciplinary sanction(s).

4. The Legal Context
4.1. The supply and consumption of alcohol are subject to the restrictions of the Alcohol Licensing Act 1964. License holders, which may include the University or its staff, have a legal duty to manage premises responsibly and have the authority to ban people for their anti-social behaviour from bars and other places where alcohol is on sale. Any events organised are also required to be managed responsibly.

4.2. Under the Misuse of Drugs Act 1971 it is an offence for the occupier or someone concerned in the management of any premises to knowingly 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.

4.3. The University has a responsibility to uphold the Law. Students who contravene the University’s Student Alcohol and Drugs Policy may be subject to disciplinary action and, in respect of the University’s duties as a landlord and a potential license holder, this may include reporting incidents to the Police.

5. Associated Policies and Procedures

5.1. This document should be read in conjunction with:
   - Policy on Student Conduct and Discipline
   - Suitability of Students for Professional Practice: Fitness to Practise Procedures Guide
   - Policy and Procedures to Determine and Support a Student’s Fitness to Continue in Study
   - Student Mental Health Code of Practice and Guidelines for Staff and Students

6. Disciplinary Procedures

6.1. Details of the University’s Advice and Guidance Team and appropriate external support services should be provided to all students against whom an allegation of misconduct involving alcohol or drugs has been made. Any subsequent appointment(s) the student arranges with the Advice and Guidance Team would be confidential, in line with the service’s policies, and would be an opportunity for the student to discuss their use of alcohol and/or drugs and the support available to them. A student facing disciplinary procedures related to their use of drugs or alcohol may wish to provide evidence of their engagement with such support.
6.2. The type of alcohol or drug related conduct most likely to be considered under the University’s Policy on Student Conduct and Discipline, though not limited to this list, is as follows:

- Supply or possession of a controlled drug
- Supply or repeated possession of a psychoactive substance
- Production of a controlled drug or psychoactive substance
- Failure to declare a criminal investigation, conviction, charge or caution related to alcohol or drug use
- Anti-social behaviour resulting from alcohol or drug use
- Category 2 offences (as outlined in Appendix I to the Policy on Student Conduct and Discipline) involving alcohol or drugs
- Category 3 offences (as outlined in Appendix I to the Policy on Student Conduct and Discipline) involving alcohol or drugs

6.3. Conduct which may constitute a serious breach of the rules outlined in this Policy may include possession of a Class A controlled drug; repeated possession of a Class B or C controlled drug or a psychoactive substance; supply or production of a controlled drug or psychoactive substance; category 2 or 3 offences (as defined in Appendix I to the Policy on Student Conduct and Discipline) involving alcohol or drugs; or incidents which lead to considerable safety risks to the individual, other students or staff.

6.4. All incidents of misconduct involving alcohol or drugs should be reported to a relevant senior member of staff as follows:

- For incidents in University Accommodation – the relevant Warden or Accommodation Manager
- For incidents on the premises of a University service (e.g. the Library, Sport Liverpool) – the relevant Director of the service
- For incidents in departmental buildings and elsewhere on University property – the relevant Dean of School/Institute for the student concerned
- For incidents on placements or University field trips – the member of staff responsible for co-ordinating the placement or field trip, who will report the incident to the Dean of School/Institute for the student concerned as soon as is reasonably possible
6.5. Many incidents of misconduct involving alcohol or drugs can be handled under the powers of summary jurisdiction afforded to senior members of staff under the Policy on Student Conduct and Discipline Appendices D and E. However, where an incident is of such a nature that it appears to constitute a serious breach of the University’s rules as outlined in this Policy, the senior member of staff should seek advice from the Deputy Vice-Chancellor (or their nominee, who would usually be a member of the Academic Compliance Team) who will decide whether the breach should be considered under the jurisdiction of the senior member of staff or under the formal disciplinary procedures under the University’s Policy on Student Conduct and Discipline. The Deputy Vice-Chancellor (or their nominee) will also decide whether the matter should be referred to the Police.

6.6. Drug or alcohol abuse may be regarded more seriously if engaged in by a student registered for a programme which is subject to the University’s Fitness to Practise Procedures. Students in breach of the Student Alcohol and Drugs Policy may be referred for consideration under the University’s Fitness to Practise Procedures; this may be further to any action taken under the University’s Policy on Student Conduct and Discipline.

6.7. The University would not normally consider being under the influence of alcohol or drugs at the time of any incident of misconduct to constitute a mitigating factor. Breach of the University’s Alcohol and Drugs Policy may constitute an additional offence under the Policy on Student Conduct and Discipline.

6.8. Guidance for staff outlining the way in which alcohol or drug related incidents should be handled is available in the following appendices underpinning this policy:

- **Appendix A**: Incidents in University Accommodation – Guidance for Staff
- **Appendix B**: Incidents on the Premises of a University Service, in Departmental Buildings and Elsewhere on University Property – Guidance for Staff
- **Appendix C**: Taking Possession of Drugs or Psychoactive Substances – Guidance for Staff
1. **Introduction**

1.1. Students and staff are reminded that possession of controlled drugs is illegal. However, the University recognises that alcohol and drug consumption will play a part in the lives of some students and that staff may therefore encounter students under the influence of alcohol, drugs and other substances in the course of their duties. Staff may also find unattended alcohol, drugs or other substances on campus. This guidance has been produced to support front line staff who may encounter such situations.

1.2. This guidance document forms a part of the University’s Student Alcohol and Drugs Policy and should be operated alongside this Policy and the associated Policy on Student Conduct and Discipline and its appendices.

1.3. Further advice and guidance on the Student Alcohol and Drugs Policy and its implementation may be sought from the University’s Academic Compliance Team.

1.4. Should a member of staff be found to be in possession of and/or using a drug, this should be handled in accordance with the staff Alcohol/Drugs Policy. Further advice and guidance on the policy and its implementation may be sought from the Human Resources Department.

2. **Principles**

2.1. It is not the role of most staff to collect physical evidence and staff do not have any statutory right in law to search an individual (student or visitor) or their property\(^1\). Staff are, however, expected to provide incident reports where this forms a part of their role.
under these procedures. Staff should therefore prepare documentary and photographic evidence where it is appropriate and safe for them to do so.

2.2. Staff may take possession of alcohol if continued consumption is deemed to represent a significant risk to the health and safety of the student(s) concerned or those around them; or if consumption of alcohol is a breach of the safety regulations for the area concerned.

2.3. During normal working hours, Accommodation Managers² may temporarily take possession of controlled drugs or psychoactive substances where they are found unattended in their allocated Hall of Residence. Accommodation Managers should follow the guidance outlined in Appendix C and, as a general principle, should ensure that they are accompanied by another member of staff if they take possession of a substance.

2.4. In all other circumstances, only Campus Support staff (or their contracted equivalent) may take possession of controlled drugs or psychoactive substances. This may include taking possession of a substance held by a student in order to prevent them from committing or continuing to commit an offence in connection with a drug.

2.5. Staff must not remain in possession of drugs for longer than is absolutely necessary to avoid committing an offence of unlawful possession. Staff should deposit drugs in the nearest secure drug deposit box in a clearly labelled plastic bag at the earliest opportunity and should ensure that their actions are logged appropriately, as outlined in Appendix C.

2.6. For further detail and guidance on the circumstances in which they may take possession of drugs, staff may refer to Section 5 (Subsection 4) of the Misuse of Drugs Act 1971. Legal advice can be obtained from the Legal and Compliance Team. Advice on this Policy and its appendices can be obtained from the Academic Compliance Team.

² The rights afforded under this policy to Accommodation Managers are not transferrable to any other staff member (inclusive of Wardens and Residential Advisors). If an Accommodation Manager is not available during normal working hours, Campus Support staff (or their contracted equivalent) should attend the site to take possession of the substance.
2.7. Incident reports should be factual and should not include speculation about what type of substance has been discovered. Staff should carefully describe the substance and refrain from referring to it by a specific name unless it has been positively identified.

3. Incidents Involving Alcohol

3.1. If a student is intoxicated, your first priority should be to assess the situation for any risk to yourself. Once you have done so, you should then assess the situation for any risk to the student or others.

3.2. If the student has collapsed, or is unconscious, or if you have any other immediate concern for their health and safety, you should call the Campus Support emergency line on 0151 794 2222 (42222 on an internal line) and ask for an ambulance to be called. Campus Support will guide you through the information they need and any further steps you should take.

3.3. If the student is behaving in an aggressive or otherwise unsafe manner and they are not a resident of the accommodation you are in, you should normally ask them to leave the premises. However, if you would have concerns for their health and safety if they were to leave the premises unaccompanied, you should consider whether there is alternative action you can take, such as offering the student space to cool down. If you were to do so, you would need to ensure that a member of staff is able to monitor their condition. If the student’s behaviour continues to be aggressive or otherwise unsafe, you should call Campus Support for assistance.

3.4. If you have any concerns for the health and safety of the student or others, you may wish to confiscate any further alcohol they have on their person. Should you do so, you should provide the student with a written receipt and store the alcohol in a secure location for the student to collect at a later date should they wish to do so.

3.5. Staff should record the incident in writing on their local reporting system (e.g. RAIL) as soon as possible. If an incident may be considered to constitute a serious breach of the rules outlined in the Student Alcohol and Drugs Policy, the reporting member of staff should also inform the Warden or Accommodation Manager.

4. Incidents Involving Possession and/or Use of Drugs
4.1. If a student is in possession of drugs or in the process of using them, your first priority should be to assess the situation for any risk to yourself. Once you have done so, you should then assess the situation for any risk to the student or others.

4.2. If the student has collapsed, or is unconscious, or if you have any other immediate concern for their health and safety, you should call the Campus Support emergency line on 0151 794 2222 (42222 on an internal line) and ask for an ambulance to be called. Campus Support will guide you through the information they need and any further steps you should take.

4.3. If you are satisfied that there is no immediate risk to the student or others, you should call Campus Support (or their contracted equivalent for the site) and ask that they attend the site. Explain to the student that upon their arrival, they will ask that they voluntarily surrender the drug. Explain that if they do not comply, Campus Support (or their contracted equivalent for the site) may contact the Police.

4.4. Upon their arrival, Campus Support (or their contracted equivalent for the site) will secure the drugs and complete a written report detailing any action taken. Further guidance on the steps staff should take if drugs are found is provided in Appendix C to the Student Alcohol and Drugs Policy.

4.5. Staff should record the incident in writing on their local reporting system (e.g. RAIL) as soon as possible. If an incident may be constitute a serious breach of the rules outlined in the Student Alcohol and Drugs Policy, the reporting member of staff should also inform the Warden or Accommodation Manager.

5. **Incidents Involving Large Amounts of Drugs, or Suspected Production**

5.1. All incidents involving large amounts of drugs and/or suspected production must be reported to both Campus Support and the relevant Accommodation Manager or Warden. In such cases, it is preferable that Campus Support attend, rather than staff from a contracted equivalent.

5.2. Staff should take no further action until Campus Support arrive at the site.

6. **Drugs in Communal Areas**
6.1. **If there is a suspicion that drugs have been used in a communal area** within the University Accommodation (e.g. cannabis smoke has been detected or unattended drug paraphernalia has been found), staff should report their concerns to the relevant Accommodation Manager or Warden at the earliest opportunity.

- Where an incident has taken place in a discrete area of a University Accommodation (e.g. a contained, shared flat), upon receipt of the report the Warden or Accommodation Manager shall write an open letter to the occupants of the area.

- Where an incident has taken place in an open area of a University Accommodation (e.g. an outdoor space/smoking area or a common room/lobby), upon receipt of the report the Warden or Accommodation Manager shall write an open letter to all occupants of the relevant area of accommodation.

- Letters issued should outline a brief description of the incident and should remind occupants of their obligations under the Accommodation Agreement and the Student Alcohol and Drugs Policy. A link to this Policy should be provided with the letter. The letter should also include details of the University’s Advice and Guidance Team and should state that any student who seeks support for alcohol or drug issues will not be penalised for their personal use of alcohol or drugs. A template letter is available for staff to use.

6.2. **If drugs are found unattended** within University Accommodation during normal working hours, staff should immediately call the relevant Accommodation Manager for the area concerned. Outside of normal working hours, staff should call University Campus Support (or their contracted equivalent for the site).

- Staff should take no further action until the Accommodation Manager or Campus Support (or their contracted equivalent for the site) arrives at the site.

- Upon their arrival, staff should work with the Accommodation Manager or Campus Support (or their contracted equivalent for the site) to secure the drugs and to complete a written report detailing any action taken. Further guidance on the steps staff should take if drugs are found is provided in Appendix C to the Student Alcohol and Drugs Policy.
Student Alcohol and Drugs Policy – Appendix B

Incidents on the Premises of a University Service, in Departmental Buildings and Elsewhere on University Property – Guidance for Staff

1. Introduction

1.1. Students and staff are reminded that possession of controlled drugs is illegal. However, the University recognises that alcohol and drug consumption will play a part in the lives of some students and that staff may therefore encounter students under the influence of alcohol, drugs and other substances in the course of their duties. Staff may also find unattended alcohol, drugs or other substances on campus. This guidance has been produced to support front line staff who may encounter such situations.

1.2. This guidance document forms a part of the University’s Student Alcohol and Drugs Policy and should be operated alongside this Policy and the associated Policy on Student Conduct and Discipline and its appendices.

1.3. Further advice and guidance on the Student Alcohol and Drugs Policy and its implementation may be sought from the University’s Academic Compliance Team.

1.4. Should a member of staff be found to be in possession of and/or using a drug, this should be handled in accordance with the staff Alcohol/Drugs Policy. Further advice and guidance on the policy and its implementation may be sought from the Human Resources Department.

2. Principles

2.1. It is not the role of most staff to collect physical evidence and staff do not have any statutory right in law to search an individual (student or visitor) or their property. Staff are, however, expected to provide incident reports where this forms a part of their role under these procedures. Staff should therefore prepare documentary and photographic evidence where it is appropriate and safe for them to do so.

2.2. Staff may take possession of alcohol if continued consumption is deemed to represent a significant risk to the health and safety of the student(s) concerned or those around them; or if consumption of alcohol is a breach of the safety regulations for the area concerned.
2.3. For all incidents outside of University Accommodation, only Campus Support staff (or their contracted equivalent) may take possession of controlled drugs or psychoactive substances. This may include taking possession of a substance that is left unattended or, if it is held by a student, in order to prevent them from committing or continuing to commit an offence in connection with a drug.

2.4. Staff must not remain in possession of drugs for longer than is absolutely necessary to avoid committing an offence of unlawful possession. Staff should deposit drugs in the nearest secure drug deposit box in a clearly labelled plastic bag at the earliest opportunity and should ensure that their actions are logged appropriately, as outlined in Appendix C.

2.5. For further detail and guidance on the circumstances in which they may take possession of drugs, staff may refer to Section 5 (Subsection 4) of the Misuse of Drugs Act 1971. Legal advice can be obtained from the Legal and Compliance Team. Advice on this Policy and its appendices can be obtained from the Academic Compliance Team.

2.6. Incident reports should be factual and should not include speculation about what type of substance has been discovered. Staff should carefully describe the substance and refrain from referring to it by a specific name unless it has been positively identified.

3. Incidents Involving Alcohol

3.1. If a student is intoxicated, your first priority should be to assess the situation for any risk to yourself. Once you have done so, you should then assess the situation for any risk to the student or others.

3.2. If the student has collapsed, or is unconscious, or if you have any other immediate concern for their health and safety, you should call the Campus Support emergency line on 0151 794 2222 (42222 on an internal line) and ask for an ambulance to be called. Campus Support will guide you through the information they need and any further steps you should take.

3.3. If the student is behaving in an aggressive or otherwise unsafe manner, you should normally ask them to leave the premises. However, if you would have concerns for their health and safety if they were to leave the premises unaccompanied, you should
consider whether there is alternative action you can take, such as offering the student space to cool down. If you were to do so, you would need to ensure that a member of staff is able to monitor their condition. If the student’s behaviour continues to be aggressive or otherwise unsafe, you should call Campus Support for assistance.

3.4. If you have any concerns for the health and safety of the student or others, you may wish to confiscate any further alcohol they have on their person. Should you do so, you should provide the student with a written receipt and store the alcohol in a secure location for the student to collect at a later date should they wish to do so.

3.5. Where Campus Support (or a contracted equivalent) attend an incident, they will record the incident in writing on their local reporting system as soon as possible.

3.6. Other staff involved in an incident involving alcohol or drugs should also report the incident to the senior member of staff for their area, as outlined below:

- For incidents on the premises of a University service (e.g. the Library, Sport Liverpool) – the relevant Director of the service
- For incidents in departmental buildings and elsewhere on University property – the relevant Dean of School/Institute for the student concerned
- For incidents on placements or University field trips – the member of staff responsible for co-ordinating the placement or field trip, who will report the incident to the Dean of School/Institute for the student concerned as soon as is reasonably possible

4. Incidents Involving Possession and/or Use of Drugs

4.1. If a student is in possession of drugs or in the process of using them, your first priority should be to assess the situation for any risk to yourself. Once you have done so, you should then assess the situation for any risk to the student or others.

4.2. If the student has collapsed, or is unconscious, or if you have any other immediate concern for their health and safety, you should call the Campus Support emergency line on 0151 794 2222 (42222 on an internal line) and ask for an ambulance to be called. Campus Support will guide you through the information they need and any further steps you should take.
4.3. If you are satisfied that there is no immediate risk to the student or others, you should call Campus Support (or their contracted equivalent for the site) and ask that they attend the site. Explain to the student that upon their arrival, they will ask that they voluntarily surrender the drug. Explain that if they do not comply, Campus Support (or their contracted equivalent for the site) may contact the Police.

4.4. Upon their arrival, Campus Support (or their contracted equivalent for the site) will secure the drugs and complete a written report detailing any action taken. Further guidance on the steps staff should take if drugs are found is provided in Appendix C to the Student Alcohol and Drugs Policy.

4.5. Other staff involved in an incident involving alcohol or drugs should also report the incident to the senior member of staff for their area, as outlined in paragraph 3.6 above.

5. Incidents Involving Large Amounts of Drugs, or Suspected Production

5.1. All incidents involving large amounts of drugs and/or suspected production must be reported to both Campus Support and the relevant senior member of staff for their area (as outlined in paragraph 3.6 above). In such cases, it is preferable that Campus Support attend, rather than staff from a contracted equivalent.

5.2. Staff should take no further action until Campus Support arrive at the site.

6. Other Incidents Involving Drugs on Campus

6.1. If there is a suspicion that drugs have been used on the University campus, staff should report their concerns to Campus Support so that they may take any action deemed appropriate in the circumstances.

6.2. If drugs are found unattended on the University campus, staff should report their concerns to Campus Support so that they may attend the site and remove the substance.

- Staff should take no further action until Campus Support (or their contracted equivalent for the site) arrives at the site.
• Upon their arrival, staff should work with Campus Support (or their contracted equivalent for the site) to secure the drugs and to complete a written report detailing any action taken. Further guidance on the steps staff should take if drugs are found is provided in Appendix C to the Student Alcohol and Drugs Policy.
Student Alcohol and Drugs Policy – Appendix C
Taking Possession of Drugs and Psychoactive Substances – Guidance for Staff

If drugs are found, staff should immediately alert either the Accommodation Manager or Campus Support (or their contracted equivalent for the site), as outlined in appendices A and B.

Staff should remain on site to witness any action the Accommodation Manager or Campus Support (or their contracted equivalent for the site) take to secure the drugs. The following outlines the steps that should be taken by the Accommodation Manager or the member of staff from Campus Support (or their contracted equivalent for the site) in order to safely secure the drugs.

1. Carefully place the drugs in a plastic bag and seal it with a label, sellotape or similar.

2. Print your name and sign the bag, seal or label. Add the date and time.

3. The drugs should be handled and packaged with care, but not stored anywhere other than an approved location (such as the drug deposit boxes in University Accommodation) as this can only be done lawfully by the police.

4. Do not carry the drugs to the police station or anywhere other than an approved location (such as a drug deposit box) – you could be stopped and charged with possession.

5. If possible take a photograph of the drugs. Activate the time and date function on your camera, if this is available. If no such function is available, you should record the time and date that you took the photograph on your written record.

6. As soon as possible, record your actions in writing. Where possible, the report should be filed on your local reporting system (e.g. RAIL). You should ensure that your written record contains the following information:

   • Your name, staff ID number and area of work (e.g. Campus Support)
   • Your telephone number and email address
   • The date and time that the drugs were discovered
   • The location the drugs were discovered
• The name, student ID number, and contact telephone number and email address for the student who was found to be in possession of the drugs and/or the individual who found the drugs
• A brief description of the drugs found
• A description of the circumstances in which the drugs were found
• The name and staff ID number of the witness to your actions
• A contact telephone number and email address for your witness