



1. Policy Information

Policy title	Illegal & Banned Substances Policy
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Classification	Students and Curriculum
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Approval Authority	Executive
Person/s responsible for policy	Executive

2. Overview

Toongabbie Christian College ('the College') has a zero tolerance for possession and use of illegal and banned substances on College grounds and at College events and activities. This Policy covers the possession of alcohol, tobacco, vaping devices, illegal drugs and the misuse of over-the-counter and prescribed medications, including the supply of restricted substances, on College grounds by students. It also covers the possession and use of alcohol and tobacco on College grounds by staff and visitors.

This Policy must be adhered to when dealing with incidents of possession and use of illicit and banned substances on College grounds. The College has installed sensors and security equipment on College premises to enforce compliance with this Policy.

3. Policy

3.1 The College must be free of all illegal and banned substances.

3.2 The use, possession and/or supply of illegal and banned substances and drug paraphernalia is strictly prohibited.

3.3 Where there are reasonable grounds to believe that a student on the College grounds or at any College-related activities (including those conducted outside of the College grounds), or in College uniform in a public place or in view of members of the public has been involved in any use, possession and/or supply of illegal and banned substances and drug paraphernalia, the Principal or their delegate, shall be entitled to carry out all, or any reasonable and necessary steps to enforce this Policy and to maintain proper order and discipline in the College.

3.4 The Principal will manage student disciplinary matters involving the use, possession and/or supply of illegal and banned substances in accordance with the College's *Behaviour Management Policy and Procedures*.

3.5 The Principal may hand over the process to a legal adviser to investigate the alleged possession and/or supply of illegal and banned substances in accordance with the College's *Behaviour Management Policy and Procedures*.

3.6 Alcohol

- 3.6.1 Alcohol must not be consumed or brought to the College grounds by staff, students and any visitors.
- 3.6.2 The consumption of alcohol is not permitted at any College-related activities (including those conducted outside of the College premises) at any time by students.
- 3.6.3 Employees are not permitted to consume alcohol on the College grounds at any time or (irrespective of whether students are present on the premises or not), or at any College-related activity where students are present.

3.7 Tobacco and Vaping Devices

- 3.7.1 Smoking cigarettes, use of pipes, e-cigarettes or other vaping devices (which may or may not contain nicotine) on College grounds by students, staff and any visitor to the College premises, is strictly prohibited.

3.8 Misuse of over-the-counter and prescription medications, including the supply of restricted substances

- 3.8.1 Supply of prescribed medication for non-medical use on College grounds or at any College-related activity (including those conducted outside of College grounds) is strictly prohibited.
- 3.8.2 Possession and/or use of either non-prescribed or prescribed medication for non-medical use (other than as prescribed) on College grounds or at any College-related activity (including those conducted outside of College grounds) is strictly prohibited.
- 3.8.3 Where a student requires use of either non-prescribed or prescribed medication on College grounds or at a College-related activity, the use must be supported by appropriate medical evidence and in the case of prescribed medication, requires notification to the College by the student's parent/carer.
- 3.8.4 Please refer to the College's *Sick Bay Policy & Procedures*.

3.9 Misuse of inhalants or solvents

- 3.9.1 Inhaling gases and fumes from domestic and industrial products including, but not limited to, nitrous oxide canisters (Nangs), petrol, aerosol spray, paint and paint thinners, butane lighters, propane tanks or nitrites, on College grounds or at any College-related activity is strictly prohibited.
- 3.9.2 Possession of products that may be used for the purposes of misusing inhalants or solvents is strictly prohibited.

3.10 Illegal Drugs or implements associated with illegal drug use and/or manufacture

- 3.10.1 Possession, use and/or supply of illegal drugs on College grounds or at College related events is strictly prohibited.
- 3.10.2 Any incidence relating to potential or actual possession or supply of illegal drugs requires an immediate notification to the Police.
- 3.10.3 Where there are reasonable grounds to suspect that a student on College grounds or at a College related event is under the influence of a drug, the Principal or their delegate is entitled to take any steps the Principal or their delegate considers reasonable and necessary to enforce this Policy and maintain proper order and discipline.
- 3.10.4 Where drug-taking is suspected, the immediate priority is to establish what type of drug was taken, how much of it was taken and whether first aid or emergency aid is required.

3.11 Responsibilities of the Principal

- 3.11.1 The Principal must implement measures and take steps as far as is reasonable and practicable to ensure the safety and wellbeing of students and staff on College grounds and at College events.

- 3.11.2 The Principal is responsible for ensuring that students, staff and parents/carers are made aware of this Policy and the potential consequences of possession and use of illegal and banned substances at the College and at College events.
 - 3.11.3 The Principal is responsible for ensuring that all staff and visitors are made aware of this Policy in relation to tobacco, vaping devices and alcohol use on the College grounds and at any College event.
 - 3.11.4 The Principal must notify the Police of the presence of and/or use of any illegal substances on College grounds and ensure that all reasonable steps are taken to protect students and staff from risk, including making any notification for other emergency services.
 - 3.11.5 Where there is a reasonable belief that a student may be in possession of an illegal or banned substance, the Principal or their delegate must ensure that a search is undertaken of the student's bags/lockers and possessions in accordance with this Policy.
 - 3.11.6 Unless otherwise instructed by the Police, the Principal or their delegate must notify parents/carers of any incident involving their child and the use or possession of an illegal or banned substance.
 - 3.11.7 The Principal must monitor and review the implementation and effectiveness of responses to any incidents relating to use or possession of illegal and banned substances.
- 3.12 Responsibilities of Staff
- 3.12.1 Staff must not consume or bring to the College or to College events any illegal or banned substances.
 - 3.12.2 Staff must immediately notify the Principal, or their delegate, of the presence (or suspected presence) of illegal and banned substances on College grounds, or at a College event or activity. If the Principal cannot be contacted, staff must notify the Deputy Principal Primary or Deputy Principal Secondary.
- 3.13 Responsibilities of Parents/Carers
- 3.13.1 Parents/Carers must not consume or bring to the College or to College events or activities, any illegal or banned substances.
 - 3.13.2 Parents/Carers have a responsibility to ensure that students do not bring illegal or banned substances onto College grounds or to a College event or activity.
 - 3.13.3 Parents/Cares are required to cooperate with any investigation whether it is conducted by the Police or the College.
- 3.14 Responsibilities of Students
- 3.14.1 Students must not consume or bring to the College or to College events or activities, any illegal or banned substances or drug paraphernalia.
 - 3.14.2 Students must cooperate with this Policy and the reasonable direction of a staff member to hand over any illegal or banned substances or drug paraphernalia.
 - 3.14.3 Students must notify a staff member as soon as possible if they have a reasonable belief that another person(s) has in their possession illegal or banned substances at the College or at any College event or activities.
- 3.15 Investigative Process
- 3.15.1 The possession or use of illegal or banned substances is considered to be a major incident and must be investigated in accordance with the *College's Behaviour Management Policy & Procedures* and in a manner that is coordinated with the Police, as relevant.
 - 3.15.2 During the course of the investigation, the student must be afforded the right to know what is alleged, the right to respond and the right to have their explanation considered.
 - 3.15.3 Where applicable, any investigative processes undertaken by the College will be in accordance with procedural fairness and confidentiality principles as outlined in

section 4.1.10 and section 4.1.11 of the College's *Behaviour Management Policy & Procedures*.

3.15.4 Following the investigation into the alleged conduct, the Principal or their delegate must follow the procedures outlined in the College's *Behaviour Management Policy & Procedures* regarding implementation of behaviour management strategies such as internal and external suspensions and in very serious matters, expulsion.

3.16 Power of Search

3.16.1 In accordance with the College's duty of care obligations, a student's bag and possessions (which includes student lockers) can be searched if there are reasonable grounds to believe the student is in possession of:

3.16.1.a illegal drugs

3.16.1.b prohibited weapons

3.16.1.c stolen property

3.16.1.d illegal material such as pornographic magazines or other publications

3.16.1.e technological and/or portable devices which may contain material which is unlawful, offensive or otherwise inappropriate or which contains evidence of unlawful, offensive or otherwise inappropriate conduct.

3.16.2 A search of student's clothing or belongings should only occur with the student's permission, unless there is an immediate risk to the safety or wellbeing of another person or to themselves.

3.16.3 Where practicable, any search of a student's bag/locker or possessions should be undertaken in a private setting away from other students and with an independent observer such as a member of staff present.

3.16.4 When searching a student's bag/locker, the student should be asked to hold the bag/locker open and move the contents around so they can be more easily viewed by the staff member conducting the search.

3.16.5 Students may be asked to empty their pockets. However, under no circumstances should staff carry out a physical search of a student.

3.16.6 If a student does not consent to the search of their clothing or belongings and there is a reasonable belief they are in possession of an illegal substance, the Police should be called and the Principal should allow the Police to conduct the necessary searches.

3.16.7 If the Police are requested to attend the College to conduct a search of a student or a student's bag/locker or possessions, an attempt should be made to contact the student's parents/carers prior to that taking place, unless otherwise instructed by the Police.

3.16.8 The police power to search arises under *Law Enforcement (Powers and Responsibilities) Act 2002 (NSW)*. In conducting a search of a person, a Police officer must, in the case of a search of a student and if reasonably possible to do so, allow the student to nominate an adult who is on the College grounds to be present during the search.

3.17 Police Involvement

3.17.1 The Principal has a legal obligation to report to the NSW Police, without delay, any matters involving the use, possession and supply of any illegal substances.

3.17.2 Where an obligation to make a police report arises, the Principal will not initiate an investigation, beyond establishing the basic facts, unless advised to do so by the Police.

3.17.3 The College does not have the authority to interfere with a police process and will cooperate with the Police in relation to any investigation.

3.17.4 A police investigation of a particular matter does not remove the Principal's obligation to address the behaviour as an internal disciplinary action, including but not restricted to suspension, and in serious matters, expulsion from the College.

4. References

- Prepared by Integroe Partners