#

**Cardiff Metropolitan University**

**Student Policy on substance misuse and**

**harm reduction**

# Substance misuse and harm reduction Group

Chaired by: Kirsty Palmer (Director of Student Services and Employability)

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# **Student Policy on substance misuse and harm reduction**

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## **Introduction:**

1.1 Cardiff Metropolitan University (‘the university’) is committed to supporting the positive health and wellbeing of all of its staff and students. Its policies and processes will support this ambition and focus on the promotion of positive and meaningful actions and behaviours.

1.2 A cross university Group on substance misuse and harm reduction has produced this policy to set out what the university and Students’ Union expects from all students of the university in relation to substance misuse and the overarching need to reduce harm.

1.3 For the purpose of this policy, the following definitions are applied:

**“dealing**” is a term used in this policy to include possession with intent to supply which is a criminal offence and a matter taken very seriously by the university. Students involved in this activity will be subject to the Code of Student Disciplinary Procedures.

**“substance misuse”** refers to the use of illegal drugs and the misuse of prescribed drugs, over the counter medication, psychoactive substances, steroids and other performance enhancing drugs, solvents and alcohol. When used inappropriately, or excessively, these can be dangerous and risk harm (including health and safety) to themselves or others.

1.4 The university understands that excessive use or misuse use of substances as defined above poses a risk to the health, safety and wellbeing of the individual, but may also be a sign of more serious underlying issues. The university does not condone such use or misuse of substances, it will consider such activity to present a risk to that individual and the wider community and will take pro-active steps to mitigate this risk.

1.5 The university intends to respond to substance misuse by adopting a policy of **harm reduction.** In other words tackling the risks by adopting a variety of policy measures and actions aimed at reducing the harm associated with substance misuse to individuals and to the wider community.

1.6The approach taken by the university will be to focus on education of the risks associated with substance misuse, and welfare support to individuals affected by it before disciplinary action.

1.7When disciplinary action is taken, full support and assistance will also be provided to the student for tacking any welfare issues associated with the substance misuse.

1.8 Overall responsibility for this policy lies with the Pro- Vice Chancellor for Partnerships and External Engagement.

1.9 Responsibility for implementing the outputs and actions from this policy rests with the Director who has responsibility for that identified function.

1.10 This Policy will be subject to annual review to ensure its contents remain in line with legislation, Welsh Government Guidance and best practice.

## **2.0 Scope:**

2.1 This policy covers all students enrolled at Cardiff Met University and studying on the Cardiff campuses whilst:

* On university or Students’ Union (“SU”) premises (campus, halls of residence etc);
* Undertaking a placement or training which forms part of their degree at another institution or business;
* Representing the university or SU at sporting or social events;
* Participating in university or SU events held on different premises.

2.2 This policy should be read in conjunction with the other following university policy documents:

* Student Disciplinary Procedure;
* Cause for Concern Procedure;
* Fitness to Study Procedure;
* Halls Tenancy Agreement, A to Z, and Halls Disciplinary Procedure
* University Safeguarding Framework

2.3 Details on the legal and statutory frameworks which have been referenced in creating this policy can be found in Appendix One.

## **Policy Statement:**

3.1 The university seeks to tackle the issue of substance misuse by focussing on prevention to reduce harm.

3.2 The policy has the following specific aims in applying this approach:

1. To **discourage** the misuse of harmful and / or illegal substances;
2. To **educate** students on the harmful effects and risks associated with the misuse of substances;
3. To highlight the information and **support** that is available to students who are affected by substance misuse;
4. To **protect** the learning community from harm and risks associated with the misuse of substances.

3.3 The university will work in partnership with key stakeholders and relevant external agencies to accomplish these aims.

**Discourage:**

* There is a ban on illegal drugs covering both campuses, Halls and all university property. The ban will be enforced by members of staff (including Registry Services, Accommodation, and Security Teams) using university policy and procedures.
* The university will provide a safe and inclusive environment that fosters respect of difference and consideration of others. The university recognises that different groups have different views on alcohol and other substances.
* Students will be encouraged to display informed, responsible decision making when using drugs and /or alcohol.
* Serious Incidents (including dealing and production of illegal drugs) will be reported to South Wales Police.
* Information about this policy will be shared via student communications, and presented as part of programme / Halls inductions.

**Educate:**

* Education on substance misuse is considered important. Information will be provided by the university that informs individuals about the risks associated with substance misuse, and the promotion of health, safety and wellbeing.
* The university will promote the benefits of a healthier lifestyle and include a diverse Residential Life programme to students in accommodation, to ensure activities are not centred on alcohol.
* The university will signpost and promote information and guidance of partners on more healthy living, and on the risk associated with substance misuse. This will support students to make informed choices to prevent and reduce harm associated with substance misuse. [**Dan 24/7**](http://www.dan247.org.uk/Default.asp)provides a free and bilingual telephone helpline providing a single point of contact for anyone in Wales wanting further information or help relating to drugs or alcohol. Easy to understand health related information on substance misuse in the workplace is available from the [**NHS Choices Website**](http://www.nhs.uk/Livewell/drugs/Pages/Drugshome.aspx).

**Support:**

* Any staff member or student who is concerned about a student’s use or misuse of any substance should report those concerns to the Student Wellbeing Team via the [Cause for Concern process](https://methub.cardiffmet.ac.uk/Form.aspx?id=354538).
* The student does not need to be demonstrating disruptive or problematic behaviour in order for a report to be made – but any staff member who suspects that a student may be an excessive user of substances has a responsibility to make a report.
* The Student Wellbeing team will treat all such reports confidentially and will focus on supporting the student to engage successfully with their studies if that is possible. Disciplinary action will not be the default option.
* It is understood that some students wh are found to be involved in the possession or supply of illegal substances may be at risk of exploitation or may be being coerced into participation. While the university views the supply of illegal drugs with the utmost seriousness, if a student is found to have been exploited, they will be referred to appropriate welfare support alongside any formal criminal proceedings.
* If support is refused by a student, and it is determined by the university that the student’s actions or behaviour could result in risk of further harm to themselves or affect the health and safety of others then the university may have to take action under any other relevant policy.
* Information on more specialist services will also be provided where appropriate.
* Students may also seek help and advice from the Students Union:

[**https://www.cardiffmetsu.co.uk/union/governance/**](https://eur01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.cardiffmetsu.co.uk%2Funion%2Fgovernance%2F&data=04%7C01%7Cmdunstan%40cardiffmet.ac.uk%7Cadbd856900f647656cd008d9319694fc%7C189dc61c769b40488b0f6de074bba26c%7C0%7C0%7C637595345070498269%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C1000&sdata=s4NEXj2FuvvtHavXflUNYADtbDolc5Iht3CVe71SgJc%3D&reserved=0)

**Protect:**

* If a student’s behaviour as a result of their use or misuse of substances causes harm to the health, safety and wellbeing of others, they may be subject to the university Fitness to Study Policy, Halls Disciplinary Procedure and / or Student Disciplinary Procedure. The student will, however continue to be provided with support and assistance from the university.
* Any suspected incident of dealing or production of illegal drugs should be reported to the university.

## **4.0 Expectations of students**

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### **Student Conduct:**

4.1 Students are prohibited from attending their programmes of study, living at Halls of Residence, or from using university facilities or equipment whilst under the influence of excessive alcohol, non-prescribed drugs or other substances.

4.2 Students are responsible for ensuring their own behaviour and performance remains appropriate whilst engaged in university activity and is not affected by alcohol or drug misuse. This includes students undertaking placements.

4.3 Students who consider that they may have an alcohol or drug related problem should seek help at an early stage, often through their GP. They can also be self-refer or be referred to the university’s Student Services Team.

4.4 Students should inform a member of university staff if they suspect a fellow student is under the influence of alcohol or drugs whilst engaged in university activity, especially if the individual is exhibiting behaviour which could result in an accident or danger to themselves or others, or adversely impact on students.

4.5 Students should inform their Personal Tutor or Halls Manager if they are taking prescribed medication which may affect their ability to study, work or live in halls safely. The Personal Tutor or Halls Manager should seek further guidance from Student Services as the student may also be entitled to further reasonable adjustments.

4.6 Students must comply with any policies relating to drugs or alcohol as set out by a placement provider.

4.7 As part of the university core terms and conditions students agree to abide by the Student Code of Conduct. Para 1 of the Code states that all students are expected to observe the Cardiff Metropolitan University regulations, policies and procedures. That includes (amongst others) this Policy, the Halls Disciplinary Procedure and the Student Disciplinary Procedure.

4.8 Para 2.2 of the Student Disciplinary Procedure provides that “Disciplinary action may be taken if a student engages in activities or inappropriate behaviours on or off campus that are likely to disrupt, damage or otherwise adversely affect the normal functioning and /or reputation of Cardiff Metropolitan University and its academic or residential community, herein after referred to as ‘misconduct’. Para 2.3 contains a non-exhaustive list of the types of misbehaviour or ‘misconduct’ the Code and Student Disciplinary Procedure is intended to cover. It includes:

* Behaviour that constitutes a criminal offence;
* Possession or misuse of prohibited substances;
* Violent , indecent, disorderly, threatening or offensive behaviour or language;
* Action likely to cause or impair the health, safety and wellbeing of any student, member of staff or other employee etc.

4.9 Any negative behaviour resulting from substance misuse will be subject to the university’s Halls Disciplinary Procedure and / or Student Disciplinary Procedure. This could include destruction of property, or the threat of injury to self or others. Also, any such behaviour which brings the University’s reputation into disrepute will be subject of the Student Disciplinary Procedure.

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### **Accommodation:**

4.10 Students living in Halls Accommodation [University /Private] should ensure they are aware of the impact of substance misuse on their tenancy agreement. Any breach of the terms and conditions may result in action to remove the student from their tenancy. All residential students are required to complete an online induction prior to arrival into their halls (including those in nominated private provider properties). The induction includes a section on the misuse of substances, where to seek help and advice and penalties that may be imposed. Additional information on this area is presented in each bedroom.

4.11 If staff are concerned about a student’s use or misuse of substances they will make a report through the university’s Cause for Concern process, even if the student’s behaviour is not impacting others.

4.12 Security and Halls Staff will be taking a proactive approach to monitor and detect controlled drugs or other such substances. This may include following up on reports of suspected illegal drugs on campus, and reports of suspected substance misuse. This may involve partnership work with relevant external agencies and liaison with other teams within the university. This may also include removal and disposal of any illegal drugs and or substances that may be misused. Random searches may also be undertaken with the assistance of South Wales Police.

4.13 The university operates drugs safes at each of its Halls of residence, for the deposit of certain substances. Full details of these and how they operate can be requested from Campus Security.

4.14 Students in private accommodation should be aware of the implications for their landlords under the Misuse of Drugs Act 1971, where a landlord would be committing a criminal offence were they to knowingly permit the use, production or supply of controlled substances.

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### **Students’ Union:**

4.15 The SU is committed to working in partnership with the university, to build a positive, supportive experience for students that safeguards student’s health and wellbeing and creates a culture for students to thrive.

4.16 In developing that commitment the SU will work collaboratively with the university to raise awareness of this policy, with individual student members, clubs and societies.

4.17 Under the SU membership code of conduct there are powers for action to be taken by the SU against a student member for behaviour at events, societies and whilst using SU facilities.

4.18 The SU operates a zero tolerance policy on drugs and alcohol misuse. The use, possession or distribution of drugs or any illegal substances on SU premises or at SU events is strictly forbidden. Any person in breach of that condition will be asked to leave the premises / event. The SU reserves the right to operate a random search policy and asks that students cooperate with such a request, failure to do so may result in refusal of admission. They reserve the right to ask the student to leave at any time should they deem the student’s behaviour to be irresponsible. The SU reserve the right to refuse admission without reason. They also reserve the right to operate random breathalysing tests, any student deemed intoxicated will be refused entry without refund. These actions are set out in the event information.

4.19 Whilst supporting those students seeking advice and guidance, the SU will look to provide appropriate advice and support to those affected by alcohol or controlled substance related problems, providing clear signposting to the support available and encouraging students to access treatment where possible.

## **5.0 Specific Controls:**

### **Illegal Drugs:**

5.1 All incidents of **production or dealing** illegal drugs on university premises [campus and Halls etc.] will be reported to the Police. Any student engaging in any of these activities will be subject to the University Student Disciplinary Procedure and /or Halls Disciplinary Procedure.

5.2 Any student who is caught in, or reported for **possession** of an illegal drug, or who is suspected of misusing substances will in the first instance be referred to Student Services for support and assistance. A report will also be made to the student’s Dean of School. If there is repeated similar behaviour, or the student’s behaviour results in other breaches of the Student Code of Conduct, then further action may be taken under the Student Disciplinary Procedure and /or Halls Disciplinary Procedure.

5.3 Any allegation concerning an incident of illegal drug use or dealing [criminal offence), and /or any negative behaviour as outlined can either be reported using the University Complaints Policy or Procedure, or directed to the University Complaints and Conduct Manager for action under the Risk Action Panel Procedure.

5.4 In addition to the implications of proven allegations of ‘misconduct’ under the Student Disciplinary Procedure, students should be aware that a criminal conviction for drugs offences can impact their career choices and lives. Possession of drugs can constitute a criminal offence. For international students this may also have severe implications for their student visa.

5.5 Students who may require controlled drugs for medical purposes. should be aware that under section 4 Misuse of Drugs Act 1971, that any involvement in facilitating the supply of a controlled drug to another person, even if it is only offered and not supplied, and even if no profit is made, is taken as supply of a drug rather than possession, which would lead to greater criminal sanction.

### **Responsible Drinking:**

5.6 The consumption of alcohol is not illegal, however the University does not condone the misuse of alcohol. Employees of the Students’ Union, or university who act as licensees will manage events and premises responsibly and in accordance with the Licensing Act 1964. Further action may be taken to remove a student from the premises if their behaviour or actions are considered likely to cause a risk to themselves and/ or the health and safety of others.

5.7 Outside of university, students are encouraged to take a sensible approach to drinking alcohol in accordance with the [Welsh Government’s guidance](https://phw.nhs.wales/topics/alcohol/).

**Performance Enhancing Drugs and the Clean Sport Commitment Statement:**

5.8 The university and Student’s Union adopts the UK Anti-Doping and World Anti- Doping Agency (WADA) position that cheating, including doping, in sport is fundamentally contrary to the spirit of sport, undermining the otherwise positive impact of sport on society.

5.9 To this end the university and the Students’ Union in association with UKAD commits to support “Clean Sport” in the UK in the following ways:

* supports the mission of UKAD and WADA in achieving “Clean Sport”.
* expects all our members to play, train and compete in line with the spirit of sport, including the anti-doping rules.
* committed to supporting the prevention of doping behaviour in the UK in collaboration with other sporting bodies.
* The university supports and advocates the UKAD Anti-Doping Policy.
* Anyone acting on behalf of the university will not condone, assist or in any way support the use of prohibited substances and methods (unless based on a Therapeutic Use Exemption) in all aspects of their work.
* Anyone acting on behalf of the university will be expected to contact UKAD should they become aware of an athlete or NGB staff using or considering the usage of a prohibited substance or prohibited method. This contact will be done in confidence on the dedicated confidential “Report Doping in Sport” line.
* The university will uphold where relevant any sanctions placed upon university staff or students by UK Anti-Doping or any other associated body.
* Any breach of the above, or any of the rules or policies referred to by anyone acting on behalf of the univeristy will be treated as gross misconduct and acted upon accordingly.

5.10 Further details about UKAD and WADA can be found at; [www.ukad.org.uk](file:///C%3A/Users/Sm20310/AppData/Local/Microsoft/Windows/Temporary%20Internet%20Files/Content.Outlook/WQNR1AUO/www.ukad.org.uk), and [www.wadaama.org](file:///C%3A/Users/Sm20310/AppData/Local/Microsoft/Windows/Temporary%20Internet%20Files/Content.Outlook/WQNR1AUO/www.wadaama.org), respectively

**Appendix One – Statutory Framework**

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## **Legal Framework:**

1.1 The use and supply of illegal drugs is a criminal offence in the United Kingdom. The Misuse of Drugs Act (1971) is intended to prevent the use of recreational drugs as well as the non-medicinal use of medicinal drugs.

1.2 Under section 8 of the Misuse of Drugs Act 1971, it is an offence [criminal] for the occupiers or premises or the management of an establishment [This includes HEI’s] to knowingly permit on their premises; the production or attempted production of any illegal drugs: the supply., attempt to supply or offer to supply any illegal drugs; the preparation of opium for smoking; the smoking of cannabis or prepared opium.

1.3 Drugs are categorised from Class A to Class C with the latter carrying the lowest penalties. Further information is available on-line: <http://www.homeoffice.gov.uk/drugs/drug-law/>

1.4 The Health and Safety at Work Act 1974 (Including Section 3 and 7) places a duty on employers to ensure, as far as is reasonably practicable, the health, safety and welfare at work of staff, students and other users of its premises.

1.5 Under 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). 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. 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.

1.6 In line with the University’s commitment to its students’ wellbeing, its responsibilities are not limited to the legal framework defined above.

## **National Policy Drivers:**

2.1 The Welsh Government continues to see tackling substance misuse as a priority and a key factor in improving the population’s health and wellbeing, in line with “A Healthier Wales: Our Plan for Health and Social Care” (June 2018). This is primarily through a focus on ‘prevention’ and harm reduction. Ensuring people are aware of the dangers and impact of substance misuse, and to know where they can seek information, help and support. [To me this fits inexactly what we discussed about Education being first]

2.2 The Government has implemented a Substance Misuse Delivery Plan 2019 -2022 (October 2019). This Plan has been strengthened an amended in light of Covid19. The Plan has 5 key aims:

* Preventing Harm;
* Support for Substance Misuse to improve health and aid and maintain recovery;
* Supporting and Protecting families;
* Tackling availability and protecting individuals via enforcement action;
* Partnership, workforce and service user Involvement.

2.3 The Welsh Government are looking to its partners to assist in the tackling of substance misuse, with a focus on harm reduction.