UNIVERSITY OF BIRMINGHAM

DRUGS AND ALCOHOL POLICY

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Drugs and Alcohol Policy

1. Introduction

1.1 The University recognises that alcohol and drugs will play a part in the lives of some people and will be sympathetic to problems arising from misuse of these substances whilst not condoning such misuse. It also recognises the current national focus on binge drinking, especially amongst 18-24 year olds and the ensuing risks and problems alcohol can cause to all students and staff.

1.2 The University has a commitment to enhancing the health and safety and wellbeing of students and recognizes the risks that may be caused by the misuse of alcohol, drugs and other substances.

1.3 The University in no way condones the misuse of drugs or alcohol, and will balance disciplinary action with appropriate support for students who misuse them.

1.4 The policy aims to facilitate the early identification of such problems and to encourage students to seek advice, help and assistance voluntarily before their studies are adversely affected. The University will achieve these goals through educational, counselling and disciplinary approaches. Staff will provide guidance as to where professional assistance is available.

2. The Legal Context

2.1 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'.

2.2 The University Ordinance on Discipline 5.5 (or Ordinance 5.6 for students on programmes of study where Fitness to Practise Applies) states that "The possession, storage, sale, use or misuse of a controlled drug as defined by the Misuse of Drugs Act 1971 (as amended from time to time) on University property" is a University Disciplinary Offence.

2.3 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 also for others, for example students in shared accommodation or staff having to handle illegal substances and drug-related paraphernalia.

2.4 The University has a responsibility to uphold the law. Students [1] who contravene the legislation outlined above, may be subject to disciplinary action by the institution and this may include reporting incidents to the Police.

3. Management

3.1 A protocol exists between the University of Birmingham and the West Midlands Police Force. The protocol ensures that the correct procedure is followed when activities involving illegal substances occur on University property.

3.2 Where there is physical evidence of illegal substances having been used on campus, the University Security Manager will be informed and will remove the evidence for safekeeping. The Security Manager has a legal obligation under the protocol to report all such cases to the Police and to hand over any evidence, which has been removed for safekeeping. The Security Manager will also inform the Student Conduct and Appeals Manager. (A flowchart detailing the process is attached, appendix 2).

3.3 The Security Manager will convene a meeting with the local police, the Site Manager and the Student Conduct and Appeals Manager to discuss the option of searching University premises. The meeting will normally be arranged within 10 working days of notification to the Security Manager.

3.4 The Security Manager has the power to search University premises, including individual student rooms, where there is reasonable suspicion that illegal activities are taking place. Searches will be carried out by security staff in the presence of the site manager (or deputy) and the student. If the student is not present the University still has the right to search the room, if there is reasonable suspicion that illegal activities are taking place, although this would not be an in-depth search.

3.5 Where breaches of the University's Ordinance on Discipline are suspected, an investigation will take place. Disciplinary action may be taken against students involved but the main aim of the process is to educate students rather than to impose penalties.

3.6 Where students are living in University accommodation their accommodation contract 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'. Support to find alternative accommodation in the private sector will be provided by Housing Services.

4. Help and Advice

4.1 The University regards an individual's dependency on either drugs or alcohol as a health problem. If a student reports the matter to their Welfare or Personal 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 School or Department informed of their progress and it is clear that they are attempting to resolve any difficulties they may have. Students must provide confirmation from SSCS, their GP or an external agency if appropriate (eg Aquarius) to confirm their attendance and progress. There will be no unnecessary disclosure of information and confidentiality will be respected.

4.2 For those wishing to discuss problems related to the use of drugs or alcohol, advice is available from the University Medical Practice (UMP), the Student Support and Counselling Service (SSC) and the Advice and Representation Centre (ARC) at The Guild of Students. 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 senior member of staff be informed, for example their Welfare Tutor, Head of School/Department, or the Academic Registrar. (Further details of support available can be found at appendix 1).

4.3 Staff will not provide direct advice on substance misuse but will provide guidance as to where professional assistance is available, for example SSCS and external agencies.

5. Education

5.1 The University will endeavour to increase awareness and understanding of drug and alcohol related issues in a number of ways:

5.1.1 The University will produce publicity material to raise student awareness for example posters and leaflets.
5.1.2 Training will be provided to relevant staff, for example welfare/personal tutors, student mentors, staff in student residences and security officers.
5.1.3 By inviting the West Midlands Police liaison officer and also a representative from Drugline/Turning Point onto campus to give talks at ‘Freshers’ events and other appropriate forums.

6. Conclusion

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

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