

University of the West of England Student Drugs including Alcohol Policy

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University of the West of England Student Drugs including Alcohol Policy

UWE Bristol does not endorse the use of drugs including alcohol, but we want our students and staff to be safe. We operate a policy of harm reduction that prioritises the welfare and wellbeing of our community.

This policy relates to the use of alcohol and other drugs that are controlled by the Misuse of Drugs Act 1971, the Psychoactive Substances Act 2016 and the unauthorised use and possession of prescription medicines regulated by the Medicines Act 1968, by students. Staff employed by and working for UWE Bristol should refer to HR Policy: [Alcohol, Drug and Substance Misuse and Dependency Policy](#).

Introduction

In line with its Healthy University Strategy, UWE Bristol is committed to providing a safe, healthy and sustainable working, learning and living environment for all employees, students and visitors involved in its operation.

In response to the reality of the use of drugs including alcohol, UWE Bristol has chosen to adopt a policy of harm reduction. Harm reduction is a variety of policy and practice interventions aimed at reducing negative outcomes of the use of drugs including alcohol to users, their communities and wider society. It is supported by the WHO, UNODC and EMCDDA.¹ The primary focus of harm reduction is the safety and wellbeing of the person and those around them rather than on their use of drugs including alcohol. UWE Bristol will work proactively to reduce the harmful impact of alcohol and other drugs in order to prioritise the safety, health and wellbeing of everyone in our community.

UWE Bristol acknowledges that the use of drugs including alcohol is a common feature of the lives of young people in general and students in particular. Young people are likely to find themselves in environments and situations where they might come into contact with drugs including alcohol and for many people university might be the first time they come into contact with illegal drugs². Nationally around one in three adults will try an illegal drug in their lifetime while the South West has the highest rate of adult illegal drug use of any of

¹ United Nations Office of Drugs and Crime. *Reducing the Adverse Health and Social Consequences on Drug Abuse: A Comprehensive Approach*. UNDOC. (2017). [online] available at <http://undoc.org/undoc/en/frontpage/reducing-the-harm-of-drugs.html>
European Monitoring Centre for Drugs and Drug Addiction. Annual Report to the European Monitoring. EMCDDA. (2014).

² Moyle, Leah. Coombes, Ross (2018). Student transitions into drug supply: exploring the university as a 'risk environment'. *Journal of Youth Studies*, DOI: 10.1080/13676261.2018.1529863.

the regions of England³. The landscape of the use of drugs including alcohol is constantly and rapidly changing as are the associated harms and risks.

One of UWE Bristol's fundamental values is inclusivity and UWE Bristol is committed to working towards the reduction of inequality. UWE Bristol aims to create a supportive and inspiring place to learn and work – a place where difference and different perspectives are explored and celebrated and learning and research is accessible to as many people as possible. Harms related to the use of drugs including alcohol are disproportionately experienced by the most vulnerable and marginalised in our society⁴ while in some cases substances are used to alleviate the symptoms of long term illnesses, disabilities and trauma⁵. UWE Bristol recognises that policy responses that approach the use of drugs including alcohol as solely disciplinary issues fail to identify the complex reasons behind people's use and therefore risk further marginalising certain groups of students⁶. Where disciplinary action needs to be taken, the focus will be on the person's behaviour and its actual or potential impact on others, rather than on their substance use.

UWE Bristol recognises that the use of drugs including alcohol exists on a non-static spectrum from non-problematic and recreational to problematic and dependent; noting that problematic impacts of substance use can arise long before and apart from dependency. UWE Bristol understands that the use of drugs including alcohol can pose serious risks to individuals and communities which can be exacerbated by inadequate policy and practice responses. Notable harms can include short and long term impact on individual physical and mental health, finances, relationships, educational attainment and career and life chances as well as local, national and global impact. Therefore, UWE Bristol aims to respond to the reality of the use of drugs including alcohol, reduce risk of harms to its students, staff and visitors and encourage debate and research in the area.

³ National statistics *Drug Misuse: Findings from the 2017/18 Crime Survey for England and Wales*. Statistical Bulletin 14/18
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/729249/drug-misuse-2018-hosb1418.pdf Home Office (2018)

⁴ UK Drug Policy Commission. *Drugs and Diversity: Disabled People – Learning from the Evidence* [online] available at [http://www.ukdpc.org.uk/wp-content/uploads/Policy%20report%20-%20Drugs%20and%20diversity%20disabled%20groups%20\(policy%20briefing\).pdf](http://www.ukdpc.org.uk/wp-content/uploads/Policy%20report%20-%20Drugs%20and%20diversity%20disabled%20groups%20(policy%20briefing).pdf)

⁵ Public Health England. *Health matters: preventing drug misuse deaths*, Updated 15 September 2017
<https://www.gov.uk/government/publications/health-matters-preventing-drug-misuse-deaths/health-matters-preventing-drug-misuse-deaths>

⁶ National Union of Students and Release. *Taking the Hit: Student Drug Use and How Institutions Respond*. (2018). <https://www.nusconnect.org.uk/resources/taking-the-hit-student-drug-use-and-how-institutions-respond>

UWE Bristol's legal duty as an institution

Alcohol use by adults is not illegal and its consumption subject to the Licensing Act 1964 is permitted on UWE Bristol premises.

Under the Misuse of Drugs Act 1971⁷, it is a criminal offence for UWE Bristol to knowingly permit the use, production or supply of any controlled drugs on its premises. Under the Psychoactive Substances Act 2016⁸ it is an offence for UWE Bristol to knowingly permit the production, supply, import or export of any substance if it is likely to be used for its psychoactive effects and regardless of its potential for harm. The only exemptions from the Act are nicotine, alcohol, caffeine, medicinal products and those already controlled by the Misuse of Drugs Act.

UWE Bristol must operate in the context of national legislation and would be committing a criminal offence were it to knowingly permit the use, production or supply of any controlled drugs on its premises. Therefore UWE Bristol cannot allow the possession, use or supply of controlled drugs or psychoactive substances on its premises.

UWE Bristol is required by the Health and Safety at Work Act 1974⁹ to ensure as far as is reasonable, the health and safety of its employees, students and others at work.

The smoking ban in England came into force on 1 July 2007 as a consequence of the [Health Act 2006](#).¹⁰ Smoking is prohibited in areas used as a shared work-space and in flats with communal entrances or shared corridors.

Student awareness of the legal and regulatory context

Criminal convictions impact on life chances. Any student who has involvement with controlled drugs or other psychoactive substances should familiarise themselves with the Misuse of Drugs Act 1971, the Psychoactive Substances Act 2016 and Crown Prosecution Service guidance¹¹. Students should be particularly aware that under s4 of the Misuse of Drugs Act 1971, any involvement in facilitating the supply of a controlled drug to another

⁷ Legislation.gov.uk. Misuse of Drugs Act 1971. <https://www.legislation.gov.uk/ukpga/1971/38/contents> [Accessed 6th August 2018].

⁸ Legislation.gov.uk Psychoactive Substances Act 2016. Available at <http://www.legislation.gov.uk/ukpga/2016/2/section/14/enacted> [Accessed 9th August 2018]

⁹ Legislation.gov.uk. Health and Safety at Work etc. Act 1974 [online] Available at: <https://www.legislation.gov.uk/ukpga/1974/37> [Accessed 6th August 2018].

¹⁰ Legislation.gov.uk. Health Act 2006. [online] Available at: http://www.legislation.gov.uk/ukpga/2006/28/pdfs/ukpga_20060028_en.pdf [Accessed 6th August 2018].

¹¹ CPS Legal Guidance. Drug Offences. Available at <https://www.cps.gov.uk/legal-guidance/drug-offences> [Accessed 28th September 2018]

person, even if it is only offered and not supplied and even if no personal profit is made, is seen as a supply rather than possession offence.

Students on professional programmes are held to higher standards of conduct as those programmes are accredited and/or regulated by professional, statutory or regulatory bodies which seek to ensure that students comply with professional codes of conduct. These students should familiarise themselves with the [UWE Bristol Professional Suitability policy](#) and procedure and their own professional, statutory or regulatory bodies' codes of conduct to avoid putting their professional registration and future career at risk. Inappropriate use of drugs including alcohol or related antisocial behaviour is likely to require investigation by the University under the Professional Suitability policy.

Students living in UWE Bristol managed accommodation should familiarise themselves with the [terms and conditions](#) as they may be putting their accommodation at risk.

Students in privately rented accommodation should be aware that their landlords must similarly operate in the context of national legislation and under the Misuse of Drugs Act 1971 would be committing a criminal offence were they to knowingly permit the use, production or supply of controlled drugs on their premises.

UWE Bristol's approach to harm reduction

UWE Bristol's approach to harm reduction hinges on the principles of Responsibility and Respect, Information and Support.

Responsibility and Respect – UWE Bristol recognises that for many people the use of drugs including alcohol is not a social or cultural norm and can be experienced as intimidating, alienating and disruptive. Additionally people who have previously struggled with problematic use may wish to avoid exposure to drugs including alcohol for their own safety. UWE Bristol is committed to providing a safe and inclusive environment that fosters respect for difference and consideration of others. UWE Bristol asks those in our community to be aware of how behaviour may impact on and be experienced by others. UWE Bristol also asks those in our community to consider the impact of peer pressure on others, how individuals contribute to that and aim for positive impact on others. UWE Bristol is a place of education - antisocial behaviour that negatively impacts on others' wellbeing and ability to learn will not be tolerated.

Information – In order to maintain a duty of care, UWE Bristol aims to empower students to use evidence based information in order to promote informed, responsible decision making. UWE Bristol works to support the development of self-confidence and assertiveness skills so that individuals are resilient to peer and other pressures. UWE Bristol is committed

to providing education and advice around the use of drugs including alcohol. Information may be shared within UWE Bristol in order to signpost to appropriate support. Students can confidentially report risks to the UWE Bristol community 24 hours a day 365 days a year by contacting Security on 0117 3289999. Communicating local and current risks is a method of harm reduction and information that could benefit others will be valued and shared as appropriate.

Support – If any student wants or needs support to address any part of their use of drugs including alcohol, UWE Bristol commits to provide this or signpost to this. If immediate pastoral or medical help is required, safety and wellbeing will always be prioritised over disciplinary responses. Support will be person centered, compassionate and kept confidential unless there are serious concerns about the risk of significant harm to any person or where the behaviour requires referral to the Professional Suitability or Student Conduct processes. Information may be shared within UWE in order to signpost to appropriate support and will not be shared outside UWE Bristol unless the student consents to this or there are serious concerns about the risk of significant harm. Where a student has caring responsibilities for children or vulnerable adults and the nature of their use of drugs including alcohol presents a risk to those they care for, information may need to be shared externally under the [Safeguarding policy](#).

Mental Wealth First

UWE Bristol has made the mental health and wellbeing of our university community a strategic priority and has committed to developing a Mental Wealth First strategy, in which the University has committed to proactive actions to create an environment and a context that promotes and enhances positive mental and emotional wellbeing. UWE Bristol recognises that, for reasons that are complex, multifactorial and personal, some of our students have difficulties with their mental health and the support we provide must reflect that. The use of drugs including alcohol does not always but can impact on mental health. Some people use drugs including alcohol to improve or cope with a mental health condition while they may also trigger or worsen a mental health condition. People with mental health problems are more vulnerable to problematic use and related harms.¹² UWE Bristol aims to support students with underlying mental health problems by empowering them to learn healthier coping skills.

Bystanders Initiative

UWE Bristol encourages everyone in its community to look after one another by being 'Active Bystanders', i.e. safely challenging or intervening when witnessing unacceptable or dangerous behaviours. The ability to recognise when someone is in danger and to intervene

⁷ Public Health England, United Kingdom Drug Situation 2017 – UK Focal Point on Drugs [online] Available at https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/713101/Focal_Point_Annual_Report.pdf [Accessed 13th August 2018]

safely is an essential skill. Excessive use of drugs including alcohol can impair judgement and mental capacity, reduce inhibition and increase vulnerability to abuse, accidents and misadventure as well as presenting serious risks to short and long term health.

Health and safety risks

UWE Bristol strongly encourages everyone in its community to take individual responsibility to stay safe and take action to maintain other people's safety when necessary.

Alcohol and other drug use and consent

S74 of the Sexual Offences Act 2003¹³ states that a person consents to a sexual act only if they agree by choice, and have the freedom and capacity to make that choice. If a person's capacity to consent to sex is limited by drugs including alcohol, then they can't give consent. Impaired judgement because of consumption of drugs including alcohol is not a valid defense against sexual offences. UWE Bristol takes a [zero tolerance](#) approach to sexual violence.

'Spiking' (surreptitiously contaminating food or drink with any psychoactive substance, including alcohol and including administering increased amounts of known substances) is illegal and very dangerous regardless of the intention and whether or not an attack or assault is carried out. UWE Bristol would take any instances of spiking extremely seriously and would investigate and take further action via UWE Student Conduct or Professional Suitability processes.

Response to drugs including alcohol on UWE Bristol premises

Possession and individual use

Where UWE Bristol becomes aware of personal use and possession on UWE Bristol premises, it will follow harm reduction principles and offer advice and support. Where controlled substances are found, they will be confiscated and safely disposed of in line with protocol agreed with the Police Service.

UWE Bristol takes antisocial behavior seriously. If UWE Bristol becomes aware that a student's behavior in relation to use of drugs including alcohol is impacting negatively on others, this may be managed via Student Conduct and Professional Suitability processes as appropriate.

¹³ Legislation.gov.uk. Sexual Offences Act 2003. [online] Available at: <http://www.legislation.gov.uk/ukpga/2003/42/section/74> [Accessed 6th August 2018].

On a case by case basis, including consideration of type and amount of substance, history of similar incidence, impact on others and any presenting risks, UWE Bristol may take further action via Student Conduct, Fitness to Study and Professional Suitability processes which could include any or all of the below:

- Provision of or signposting to support
- Provision of or signposting to education
- disciplinary sanctions such as fines and warnings
- eviction from UWE Bristol accommodation
- suspension or expulsion from academic programmes

Supply and intent to supply

Dealing of drugs will be seen as a harm to others and to the reputation of UWE Bristol. Where there is reason to believe that a student has been dealing drugs, or has invited others on UWE Bristol premises with the intention for them to deal to others, UWE Bristol will ordinarily immediately suspend the student pending internal investigation and/or criminal proceedings. Regardless of any criminal proceedings and related outcome, UWE will, in accordance with Student Conduct and Professional Suitability policies, determine on the balance of probabilities whether or not the student has been dealing in drugs. If it is concluded that the student has been dealing in drugs, UWE will ordinarily permanently exclude the student.

Where controlled substances are found and drug dealing is suspected, they will be confiscated and may be provided to the police as evidence.

Response to drugs including alcohol on UWE Bristol premises

If UWE Bristol becomes aware that a student has been arrested or charged off campus due to criminal offences related to the use or supply of drugs including alcohol, depending on the nature of the offence this may be managed via Student Conduct, Professional Suitability or Fitness to Study processes as appropriate. Where charges related to drug dealing have been brought but criminal proceedings do not result in conviction, Student Conduct and Professional Suitability processes will continue and if it is decided on the balance of probability that a student has been dealing drugs, UWE will ordinarily permanently exclude the student.

UWE Bristol takes antisocial behavior seriously. If UWE Bristol becomes aware that a student's behaviour in relation to the use of drugs including alcohol is impacting negatively

on others, this may be managed via Student Conduct and Professional Suitability processes as appropriate.

Debate and research

UWE Bristol is committed to academic freedom, freedom of speech and to leading and contributing to research with impact. UWE Bristol appreciates the continuing need to understand use of and attitudes to the use of drugs including alcohol within its own population in order to implement the most effective harm reduction initiatives. UWE Bristol recognises the complexity of issues relating to drugs including alcohol and supports further debate and research.

Review of policy and procedure

The UWE Bristol Learning, Teaching and Student Experience Committee (LTSEC) is responsible for overseeing and updating this policy and procedure particularly with respect to the legal obligations and other external requirements. This policy and procedure will be formally reviewed every three years unless there are internal or legislative changes that necessitates earlier review.

Further assistance

Further information on this policy and procedure is available from:
Jess Winkler, Safeguarding Manager