

Policy

Drugs/alcohol

1 General

- 1.1. No illegal drugs or alcohol are allowed on the premises.
- 1.2. Drugs prescribed by a doctor can be used and a secure place exists for the storage of service users' medication. Staff cannot dispense the medication but can remove from the secure place and allow the service user to remove the prescribed dose.
- 1.3. As this facility could be open to accusations of staff misuse, service users must sign a disclaimer, which will be kept on file.
- 1.4. Records of drugs taken by service user, are kept in the office.
- 1.5. Use of illegal drugs will lead to eviction from the project/service.
- 1.6. No alcohol to be brought, or consumed, inside Sanctuary projects or in the case of floating support in front of the support worker at any time.
- 1.7. Service users at accommodation supported projects will be drug or alcohol tested when necessary to detect, monitor and record use.
- 1.8. If illegal drugs or alcohol are found, or if a service user is under the influence of drugs or alcohol, they could be asked to re-accommodate themselves overnight. The following day, the grievance/discipline procedure is evoked. Item 7 of the House Rules; Items 2.4.1, 2.4.2 and 2.4.3 of the Admission Policy and the License Agreement.

2 Use and misuse

2.1. Introduction

- 2.1.1. Illegal drugs are non-prescribed substances which may be injected, ingested or inhaled.
- 2.1.2. The possession, use, supply of, intent to supply and the manufacture of illegal drugs are criminal offences under the Misuse Of Drugs Act 1971.

2.1.3. The Misuse of Drugs Act 1971 categorises controlled substances within three classes A, B or C. The following are the most common street drugs within each class.

- Class A

- LSD (Lysergic Acid Diethylamide)
- Ecstasy
- Heroin
- Cocaine
- Crack cocaine
- Psilocybin (magic mushroom)
- Methadone
- Methamphetamine

Possession: Up to 7 years in prison, an unlimited fine or both

Supply and production: Up to life in prison, an unlimited fine or both

- Class B

- Amphetamines
- Cannabis recently classified C
- Barbiturates
- Ketamine
- Codeine and other weaker opiates
- Methylphenidate (Ritalin)
- (NB: any Class B drug prepared for injection automatically becomes classified as 'A')
- Synthetic Cathinones (eg mephedrone, methoxetamine)

Possession: Up to 5 years in prison, an unlimited fine or both

Supply and production: 14 years in prison, an unlimited fine or both

- Class C

- Benzodiazepines (diazepam) used or supplied without prescription.
- Gamma Hydroxybutyrate (GHB)
- Amyl or Butyl Nitrate.
- Anabolic steroids
- The Misuse of Drugs Act 1971 does not deal with alcohol, tobacco, caffeine,

Possession: Up to 2 years in prison, an unlimited fine or both (except anabolic steroids - it's not an offence to possess them for personal use)

Supply and production: Up to 14 years in prison, an unlimited fine or both

- Temporary Class

- Some methylphenidate substances (ethylphenidate, 3,4-dichloromethylphenidate(3,4-DCMP),

- methylnaphthidate (HDMP-28),
- isopropylphenidate(IPPorIPPD)
- 4-methylmethylphenidate,
- ethylnaphthidate, propylphenidate) and their simple derivatives

Possession: Police can take away a suspected temporary class drug

Supply and production: Up to 14 years in prison, an unlimited fine or both

2.2. Statement of Principle With Regard To The Use Or Supply Of Illegal Drugs

- 2.2.1. Sanctuary Trust acknowledges that it has a responsibility to assist in upholding the law with regard to the use, supply or manufacture of illegal drugs.
- 2.2.2. It also has a duty of care towards its clients and as such must always seek to work in the best interests of its clients whilst fulfilling its legal obligations.
- 2.2.3. Sanctuary Trust acknowledges that some of its clients will choose to use illegal drugs and that this reflects the use of illegal drugs within society as a whole. However in substance free projects use will lead to exclusion from the scheme.
- 2.2.4. It is also acknowledged that on occasions illegal drugs may be supplied to others by clients of Sanctuary Trust or may be supplied to clients of Sanctuary Trust by others.
- 2.2.5. It is not necessary for money to change hands for it to be deemed that the supply of controlled drugs has taken place. The sharing, swapping or giving of controlled drugs constitutes supply in the eyes of the law.
- 2.2.6. Sanctuary Trust is committed to up-holding the law with regard to illegal drugs and will seek to do this through the development of policies in collaboration with the police and other relevant agencies, which will be consistently enforced.

2.3. Section 8 Of The Misuse Of Drugs Act (1971)

- 2.3.1. Sanctuary Trust acknowledges Section 8 of the Misuse of Drugs Act (1971) which states :
 - ‘A person commits an offence if, being the occupier or concerned in the management of any premises, he knowingly

permits or suffers any of the following activities to take place on those premises, that is to say:

- (a) producing or attempting to produce a controlled drug
- (b) supply or attempting to supply a controlled drug to another.....or offering to supply a controlled drug to another
- (c) preparing opium for smoking
- (d) smoking cannabis, cannabis resin or prepared opium.

2.3.2. Sanctuary Trust understands Section 8 of the Misuse Of Drugs Act (1971) to place primary responsibility for the effective implementation of this policy on:

- (a) The Management Committee
- (b) Project Managers
- (c) Project/support workers

2.3.3. However, it is important that workers at all levels of the organisation are aware of the Misuse of Drugs Act (1971) and of this policy as they may well be the people who, in practice, implement the policy and may, therefore, be deemed as being concerned in the management of any given project in respect of the use or supply of illegal drugs.

2.4. Good Practice Guidelines In Respect Of ' Use Or Supply of Illegal Drugs '

2.4.1. Staff duties and responsibilities with regard to this policy are clearly outlined in all relevant job descriptions.

2.4.2. It is the responsibility of Sanctuary Trust through its induction, training and supervision practices to ensure that all employees are fully conversant with this policy.

2.4.3. Where issues or actions relating to this policy are current, staff receive effective supervision to ensure that they are fulfilling their duties.

2.4.4. If staff do not fulfil their responsibility in line with the law and with this policy disciplinary action will be taken on all occasions.

- 2.4.5. All actions, incidents, discussions, correspondence or meetings with regard to this policy will be clearly recorded and documented.
- 2.4.6. All managers will ensure that they are aware of and up-to-date with matters relating to this policy in respect of their areas of responsibility.
- 2.4.7. All reasonable measures which are readily available to managers to prevent prohibited activities under Section 5 of the Misuse of drugs Act (1971) will be taken and clearly recorded. Such measures may include:
- (a) systematic supervision of all areas, both internal and external, of the project
 - (b) drugs testing (and alcohol breathalysing) to be implemented randomly or on suspicion
 - (c) the installation of CCTV or mirrors
 - (d) the disciplinary action taken of people suspected of using or supplying drugs (or alcohol where appropriate)
 - (e) the display of notices clearly outlining the local interpretation of this policy and the consequences of its enforcement
 - (f) the consistent enforcement of measures designed to implement interpretations of this policy by staff
 - (g) calling the police to remove evicted people from Sanctuary Trust premises
 - (h) passing the names of people known or suspected to be using or supplying drugs, to the police
- 2.4.8. In all cases where the use or supply of controlled substances is known or suspected, vigorous and effective measures commensurate with the interpretation of this policy must be taken no matter how minor the incident may be.
- 2.4.9. In deciding whether to act, managers should err on the side of caution. If it is believed that prohibited activity is likely to continue unless action or further action is taken then further steps must be made in all instances.

3 The forming And Implementing Of 'Use Or Supply Of Illegal Drugs And Alcohol' Procedure guidelines

- 3.1. An effective substance use/misuse policy is the cornerstone of good practice
- 3.2. Any policy must ensure that all service users and staff are aware of the policy and of the rules it enshrines. It must also be made clear that Sanctuary Trust will act, in all instances, on the suspicion of use or supply and what sanctions will be applied in respect of these actions.
- 3.3. The simplest and most effective way to publicise the policy is to supply it to all individual service users and to prominently display notices summarising the rules, sanctions and philosophy of enforcement.
- 3.4. The Project Manager is responsible for the formation of 'Use or Supply of Illegal Drugs and Alcohol' procedures for all projects for which they have responsibility.
- 3.5. Procedures should be written in full consultation with partner agencies including Social Services, Probation, Housing Associations and the police
- 3.6. It is crucial that in formulating localised procedures it is understood that, once agreed through a process of consultation as outlined in 3.5, they are implemented fully, consistently and in all instances where the use or supply of illegal drugs is known or suspected. A failure to adhere to the procedures, once agreed, could be seen as attempting to deliberately mislead agencies regarding Sanctuary Trust's response to the use or supply of illegal drugs.
- 3.7. All procedures must provide and preserve a process of review in regard of any sanctions applied. For instance, bans from premises should be for a set length of time; evictions should be made in the context of a person being able to re-apply to the service after a set time has elapsed.
- 3.8. All local procedures must be signed off by the Project Manager or nominated deputy prior to implementation and this process must be made clear to all agencies consulted in respect of the policy formulation.

4 Confidentiality Statement

'Disclosure of information to the police to prevent the use or supply of drugs on the premises is allowed under Sanctuary Trust's Confidentiality Policy'

5 Multi-Agency Working

A statement of practice must be included regarding the need to inform all relevant agencies of drug use or supply, and alcohol use, both in relation to Sanctuary Trust's legal obligations but also in relation to the well-being of the person involved.

6 Disposal of drugs (and alcohol) found or confiscated

Two members of staff will destroy any drugs found or confiscated as soon as possible. Drugs may be flushed down a lavatory or taken to a pharmacist and alcohol poured down a drain that should then be cleaned to remove any lingering smells.