

Drug Policy & Guidance

For projects housing young people



Policy

To maintain a safe, drug-free environment for residents to live in.

Empanda aim to equip residents with the knowledge, understanding and skills that enable them to make the sort of choices that lead to a healthy lifestyle. We aim to offer information about the dangers to health posed by drug taking, and we aim to equip residents with the social skills that enable them to make informed moral and social decisions in relation to drugs in society. We are committed to ensuring that residents who facing a drug issue are able to receive help and advice in a safe and supportive environment, whilst always challenging drug use within the communities we operate in.

Whilst Empanda is not a rehabilitation organisation and does not actively seek to work with individuals with addiction issues, it is our aim to support those residents who suffer from substance misuse issues. In order to be effective it is essential that a professional, supportive and non-judgemental approach is maintained towards any residents presenting with drug misuse support needs.

Legal obligations:

As staff members involved in the management of a building, Empanda staff are legally obliged under section 8 of the Misuse of Drugs Act (MDA)1971 to prevent the following activities taking place on the premises, if aware that they are taking place:

- Production or attempted production of controlled drugs.
- Supply, attempted supply or offers to supply a controlled drug
- Preparing opium for smoking
- Smoking cannabis or prepared opium

The Anti-Social Behaviour Act 2003 gives the Police the power to close down premises if they believe they are being used for the production or supply of Class A drugs

Further legal information is shown in the appropriate sections below.

Guidance:

Empanda drug guidance is based around 5 R's:

Remove – Record – Report – Refer – Review

1. Discovery of drugs or drug taking paraphernalia.

Remove

Drugs:

Staff can take possession of a controlled drug for the purpose of destroying it or taking it to someone authorised to destroy it such as the police. Any drugs or suspected drugs should be placed in plastic bags, labelled and locked in a secure place until removed for destruction. Items should be destroyed or handed to police as soon as possible, and whenever possible two members of staff should be present in order to maintain consistency and to witness any action taken.

During this process the staff member should wear suitable personal protective equipment (PPE) as provided by Empanda.

Once removed, substances are to be destroyed or handed to the police; no substances can ever be returned to residents. The person finding the drug must not pass the substance to another worker, but should either destroy it or take it to the police themselves. Staff would be committing an offence of Possession (and possibly of Intent to Supply) if they take possession of a controlled drug for any reason other than to destroy it or pass it on to somebody lawfully entitled to have it.

Drug taking paraphernalia:

Paraphernalia, which may include grinders, bongs, spoons, foil and injecting equipment (needles etc) should be removed from the area and locked in a secure place, with two members of staff present if possible. Needles must only be disposed of in the correctly marked bins provided solely for this purpose. If sharps equipment is not available at the Scheme contact the local Flagship Community Ranger for assistance.

Items such as bongs or pipes which have been purchased by the residents should also be confiscated and the resident given the option to destroy them or remove them completely from the premises and local area. As a last resort, clean and unused bongs or pipes may be securely stored by staff and returned to the resident upon the termination of their licence with the Scheme.

Bongs or pipes/drug taking paraphernalia that has been made from everyday objects such as plastic bottles or cans should be disposed of securely, whilst taking environmental issues into consideration.

Prescribed drugs or medication:

If prescribed drugs/medication are found then the owner should be sought and the drugs returned, if no owner is found then they should be taken to the local pharmacy for disposal. It is an offence for some prescribed drugs (such as Methadone) to be in the possession of anybody other than the patient to which the prescription relates. Members of staff must not store such substances on behalf of a resident.

Record

All incidents concerning discovery of controlled drugs or drug taking paraphernalia must be recorded. If the resident responsible is known, record in his/her file and also in the daily log. Record where, when, how and by whom the substance was discovered. If you have been trained to know what the substance is, record these details also. It is important to be concise in your recording as your notes may be relevant to further action.

All incidences involving the discovery of prescription medication should also be recorded in the relevant resident's file in order to monitor the situation. The resident who the medication is prescribed to should be reminded of their responsibilities and Health and Safety issues highlighted.

Report

Drug use

Although support staff are not legally obliged to report drug use to the Police, it is an offence for staff to allow the smoking of opium or cannabis within the property.

The line manager must be informed and updated regarding any activities relating to drug misuse, discovery of controlled drugs/paraphernalia or supply of controlled drugs within the project or the communities in which projects operate.

Refer

Empanda offer a generic supported housing service to young people and is not a specialist drug service, therefore it is especially important to be proactive in referring residents presenting with drug issues to local specialist drug services. All referrals should be linked to the residents support plan (Drug & Alcohol SP) with regular reviews set to ensure that the resident is engaging in the support offered.

Whilst Empanda aim to maintain a balanced, supportive approach to young people's drug issues, bringing controlled drugs onto Flagship property is a serious breach of the resident's licence agreement, puts other residents and staff at risk and will not be tolerated. In some cases it is expected that the discovery of controlled drugs will result in an Acceptable Behaviour Contract being produced in order to give the resident involved clear boundaries and a full understanding of the consequences of any further similar incidents.

Review

All incidents of drug use amongst residents should be treated in a supportive way and included as part of the support package offered to the individual resident. The support offered may be linked to an ABC and the consequences of not engaging in the support being offered should be clear to the resident involved. If a resident is not committed to addressing their drug issues and does not accept relevant support including from professional agencies they are putting their licence to remain at the project at risk.

Any external support from specialist drug agencies should also be included on the resident's support plan and the agency should be involved in any subsequent reviews.

2. Supply/dealing controlled drugs

The supply of controlled drugs is unacceptable and must be challenged and confronted. All knowledge relating to dealing, supplying or swapping of drugs **must** be reported in detail to your line manager as soon as possible. If your line manager is unavailable, contact a member of the management team. Record facts concisely and accurately in writing and forward these to your line manager who will work with you in deciding what action is required. All such incidents must be recorded accurately and the police may access this information. Support staff are legally obliged to take reasonable steps available to them to stop drug dealing taking place on property that they have a responsibility for managing.

Suspicion of supply: third party information.

In the case of somebody passing information to staff regarding supply of drugs within a Scheme it is important that the allegations are investigated prior to involving the police.

- Advise the informant that the information will be looked into
- Discuss the situation with other staff, identify if they share concerns.
- Ensure that staff apply a high level of vigilance.
- Discuss the matter with the accused, in a non-confrontational manner, to establish facts.
- If evidence is discovered supporting the allegations, take advice from the line manager regarding further actions.

- If there is no corroborating information, staff should record steps taken in investigating the accusation, that there was no evidence to support it, and record any further action taken.

A close working relationship with the police is essential for the safety and longevity of the Scheme as a resource within the community. Powers created by the Antisocial Behaviour Act 2003 give the police the power to apply to a court for a Closure Notice if they believe that the property is involved in the supply of Class A drugs and associated with subsequent disorder or serious nuisance. During 1999 managers of a supported housing projects in Cambridge were prosecuted and sent to prison for knowingly allowing drug dealing within the premises they were responsible for, not taking action to stop the supply and not working with the Police to resolve the issue.

3. Suspicion of use

Staff may suspect that controlled drugs are being used within the project even though no physical evidence exists. If a member of staff overhears a conversation regarding the positive promotion of drug use they should always intervene and challenge the acceptance of illegal substances. Staff can offer information and guidance regarding health risks posed by drug use, and arrange for further information to be provided if required.

If a member of staff is able to smell that drugs have been or are being used within or in the area around the building they must investigate, challenge and offer support regardless of whether physical evidence is available. Staff are obliged to take action to stop the smoking of cannabis or opium. (MDA1971 s.8d)

4. Making residents aware of this policy

All residents will have the Empanda drug policy explained to them at sign up prior to signing their licence agreement and before entering into any form of commitment with the project. The policy must be explained in a clear and understandable way, with the needs of the individual taken into consideration. By signing a licence agreement with Empanda, residents confirm they have had the policy explained to them and that they are prepared to work within the terms of the policy. All residents will be given a written overview of the policy as part of their induction.

In addition, notices outlining key points from the policy will be displayed on posters around the buildings.

5. Training

Local Drug and alcohol services will facilitate training sessions with residents and staff and are able to provide informal information sessions with groups of residents at house meetings/ barbeques etc.

It is individual staff member's responsibility to take advantage of local training opportunities with agencies specialising in working with drug and alcohol issues. Line managers will hold information regarding training courses or updates available in their local area.

Document history

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