

Meeting:	Education Consultative Forum
Date:	23 March 2005
Subject:	Update on Drugs Testing for Pupils
Responsible Officer:	The Director of Learning and Community Development, People First
Contact Officer:	Brenda Rayson
Portfolio Holder:	Education and Lifelong Learning
Key Decision:	No
Status:	Part 1

## **Section 1: Summary**

### **Decision Required**

No decision is required.  
The Forum is asked to note the report, and discuss as appropriate.

### **Reason for report**

- National guidance: *Drugs: Guidance for Schools* was published by the DfES in March 2004.

It replaces existing guidance for schools *Circular 4/95: Drug Prevention* and *Schools Protecting Young People: Good practice in drug education in schools and the youth service*, 1998.

- A report was provided at the Education Consultative Forum meeting on 23 September 2004 summarizing the advice in the above guidance regarding drugs testing and outlining the range of support for drugs education in Harrow schools.

#### **REASON:**

To update the Education Consultative Forum on the above.

## **Benefits**

All children and young people need to be able to make safe, healthy and responsible decisions about drugs, both legal and illegal.

Schools play a central role in helping children and young people make such decisions by providing education about the risk and effects of drugs; by developing their confidence and skills to manage situations involving drugs; by creating a safe and supportive learning environment; and ensuring that those for whom drugs are a concern receive appropriate support.

## **Section 2: Report**

### **1. National Guidance and Drugs testing**

- 1.1 The national guidance remains as described in the report to Education Consultative Committee on 23 September 2004. In particular, there have been no changes to the national guidance regarding drugs testing for pupils.
- 1.2 The national guidance advises schools of the legal aspects, for example the need for parental/carer consent, and to consider very carefully whether such a strategy is consistent with the school's pastoral responsibility to create a supportive environment; whether it is culturally sensitive; and whether it is a feasible and effective use of school resources, and those of the police, where they are involved.

### **2 Update on Harrow Guidance and Support**

- 2.1 Amendments to the Harrow Policy refer to the new national guidance and recommend that drugs testing for pupils would not usually be an appropriate response, for the above reasons. In exceptional circumstances where headteachers deem it necessary to consider testing, then they and their governors are referred to the DfES guidance, appendix 10.
- 2.2 There has been a delay in the consultation with schools and drug education co-ordinators on these amendments to the Harrow policy. This is now taking place this term and a revised policy will be issued in the Summer term. The delay has been due to staffing capacity.
- 2.3 The successful celebration took place earlier this term for schools gaining accreditation to the Healthy Schools Standard, which includes the key theme of drug education. The recruitment of new schools and support for them to prepare for accreditation continues this year.
- 2.4 Harrow's Drug Education Teacher Observation Programme has achieved national recognition, and will be reported in National Case Studies as examples of good practice in PSHE and the Professional Development of

Teachers.

- 2.5 A pilot group of teachers are currently completing their portfolios for the new National Certificate for the Teaching of PSHE, which includes a drug education extension module.
- 2.6 The recent Harrow Youth Conference included a Healthy Living Discussion Group which included discussion between young people regarding drugs and drug education.
- 2.7 The professional development programme continues for PSHE support including drug education, as described in the Report on 23 September.

### **3 Consultation**

- 3.1 In 2002/3 extensive consultation with all schools and partners was carried out in reviewing the Harrow Drug Education Policy and Guidance.
- 3.2 Consultation is taking place with schools on the proposed amendments to the policy and guidance. Further comments on these amendments will be invited from all partners before the policy is re-issued.

### **4 Financial Implications**

- 4.1 The costs associated with this activity are contained within existing plans for Healthy Schools and PSHE, including drug education.

### **5 Legal Implications**

- 5.1 The relevant laws are summarised within the DfES guidance. The key Acts are:  
The Misuse of Drugs Act 1971 (amended January 2004)  
and changes to the law on cannabis (reclassified from a class B to a class C drug with effect from January 2004)  
The Medicines Act 1968  
The Children and Young Person's Act 1933 (amended 1991) in relation to protection for children with regards to tobacco and alcohol  
Human Rights Act 1998. Article 8 Right to Respect for Private Life and Family Life. Schools considering drugs testing will need to consider whether their actions may lead to possible challenges by parents and pupils under the Human Rights Act.

### **6 Equalities Impact**

- 6.1 The opportunity to receive effective drug education is an entitlement for all children and young people.

### **Section 3: Supporting Information**

These documents are available in the Group Offices:

- DfES Guidance; drug education, March 2004
- Harrow Policy Statement and Guidance for Drug Education 2002
- Report to Education Consultative Forum: Drugs Testing for Pupils, 23 September 2004.