SECTION 5.2.2: DRUGS, ALCOHOL AND SMOKING POLICY

The Australian Ballet School

RESPONSIBLE: Health and Welfare Committee (HWC) VERSION 1 APPROVED BY THE BOARD: August 2020

LATEST VERSION: June 2023 (internal review)

REVIEW DATE: June 2023 (unless circumstances require otherwise)

POLICY ACCESS LOCATION: Staff Portal and Student Portal

1. OVERVIEW

The Australian Ballet School (School) recognizes that all members of the **School Community** are entitled to a teaching and workplace environment that encourages and fosters the health, safety and welfare of all.

The School must comply with relevant legal obligations, including the *Occupational Health and Safety Act 2004* (Vic) and is a smoke-free environment as required by the *Tobacco Act 1987* (Vic).

All areas identified as the **School Premises** are covered by this policy.

The School recognises that drug and alcohol use is having an increasing impact on educational institutions and that students may be exposed to drugs. There is therefore a need to equip students with the knowledge, skills and strategies to manage this exposure.

All members of the School Community have a responsibility to discourage the use of drugs, alcohol and smoking, acknowledging that they are detrimental to health and wellbeing. All Staff Members and, in particular the teaching staff, have a duty of care to students which requires acceptable steps to be taken to minimise the risk of reasonably foreseeable harm. Refer to the Duty of Care Policy (6.1).

<u>Related Policies:</u> This policy should also be read in conjunction with Code of Conduct (1.2), Duty of Care Policy (6.1), Child Safe Standards (6.4), Marilyn Rowe House (MRH) Boarding Operations Handbook, MRH Parent and Student Boarding Handbook.

2. PURPOSE

The purpose of this policy is to support the health, safety and welfare of all students, **Staff Members** and **Volunteers**.

3. WHO DOES THIS POLICY APPLY TO

This policy applies to all students, Staff Members and Volunteers of the School.

4. **DEFINITIONS**

Drug includes any substance, with the exception of food and water, that when taken into the body, by whatever means, alters its function physically and/or psychologically and includes but is not limited to alcohol, tobacco, prescription medicines and any illegal substance.

Smoke includes all types of heated or lit tobacco or other plant material or other substances, and smoking includes the inhalation or breathing in of smoke by any devices through the mouth or nose resulting in the expulsion of vapour, including but not limited to cigarettes, e-cigarettes, vaping, cigars, pipes or any electronic or mechanical device thereof.

Under the influence means an individual's faculties are impaired by the use of any drug to the extent that they are unfit to perform a relevant duty to the standard required, including, efficiently or safely in respect of themselves and others. Objective symptoms such as changes/deterioration in appearance, behaviour or speech may be indicators.

5. POLICY

The School has a policy of zero tolerance in relation to the possession or use of illegal drugs.

From time to time there will be School functions (e.g., performance related functions, fundraising functions and celebration events) including while on tour or otherwise off-site, when alcohol is served to adult members of the School Community and other attending adults. Those people are expected to exhibit a responsible attitude to the use of alcohol. No person under 18 years of age is permitted to be served or consume alcohol. An appropriate standard of behaviour consistent with the School's Code of Conduct (1.2) is expected at all times.

The School provides drug education, conducted by the School Counsellor and/or external consultants, in conjunction with Victorian College of the Arts Secondary School (VCASS) Drug education will be provided at all year levels, through the curriculum. Drug issues will be addressed as required through internal counselling and support. Appropriate education and support strategies will assist students to make informed decisions about drug use and understand the implications.

Primary Prevention and Early Intervention involves a shared responsibility between the School and the student's home. The School has limited ability to control drug and alcohol use and smoking outside the School environment. The School will provide general support and advice to parents/carers upon request, including speaking with students as required.

5.1 Prescription and Over the Counter Medications - Students:

Students taking prescribed or over the counter medication need to be monitored with support from parents/carers. For prescribed medications, the prescribing doctor must provide the administrative guidelines and complete the *Student Prescription Dispensing Record*. The School should be notified about any prescribed medication to be taken on the School Premises and can provide supervision if required. In the case of boarding students, notification must be by the parent/carer and for all other students, either the student or parent/carer. It may be necessary to review possible side effects and consult with The Director of the School (Director), teaching or health staff as to the nature of a student's participation in learning activities, including studio training, rehearsals and performances.

Boarders at **Marilyn Rowe House (MRH)** must adhere to the Medications Policy in the MRH Parent and Student Boarding Handbook.

Staff Members are permitted to distribute prescribed medication according to any student's medical plan as provided by their Medical Practitioner. This includes all Schedule 8 Medicines (S8) (Controlled Drug) and Schedule 4 Medicines (S4) (Prescription Only). Schedule 8 Medicines must be stored securely in a locked facility and only accessed by the Executive Director or their delegate.

Staff and in the case of boarder, MRH staff, are required to complete a *Student Prescription Dispensing Record* each time a prescription medication is dispensed and file the Record in the individual Student Record.

Students who require the use of an EpiPen or asthma inhaler are permitted to keep these in their possession at all times.

Any enquiries regarding any drug use in relation to the School must be referred at first instance to the Director.

The School has Ventolin and an EpiPen available in the event a student is unable to easily access their own medication in a time sensitive situation. Administration staff ensure that medications are current.

5.2 Unsanctioned Drug Use:

The law regarding the possession or supply of illegal drugs is clear, and penalties and prosecutions are likely consequences.

While on the **School Premises** or engaged in **School Activities** (and whether or not under School supervision), no student is permitted to:

- Smoke or supply tobacco or other similar substances to other students;
- Possess, supply, consume or be under the influence of alcohol;
- Possess, supply, consume or be under the influence of any drug, other than for medical reasons and then in accordance with any medical plan for that student;
- Deliberately inhale solvents or any other industrial product;
- Possess, supply, consume or be under the influence of any illegal drug;
- Possess any drug-related equipment such as pipes, bongs, or syringes (unless prescribed for medical reasons and then as set out in any medical plan for that student).

No Staff Member or Volunteer is permitted to:

- Smoke, or supply, tobacco or other similar substances or any alcohol or illegal drug to any student;
- Possess, consume or be under the influence of or affected by alcohol or any illegal drug or any other substance that may impair judgement when they commence, return to or are on duty at work. Staff Members must not have consumed or used any alcohol or illegal drug or any other substance that may impair judgement within the previous 24 hours if driving students;
- Deliberately inhale solvents or any other industrial product when they commence, return to
 or are on duty at work, or at any other time such that while on duty at work their judgement
 may be impaired;
- Condone the use of tobacco, alcohol or illegal drugs by students;
- Condone the misuse of legal drugs (e.g., medication);
- Possess drug-related equipment such as pipes, bongs or syringes (unless prescribed for medical reasons and then with the knowledge of the Director and the Executive Director).

6. PROCEDURES

In the event of a student appearing to be under the influence of any drug or other substance, the School will seek medical advice and notify the student's parents/carers, if appropriate, before referral to medical agencies, or as soon as possible thereafter.

If the Director or the Head of Boarding (as the case may be), believes there are reasonable grounds for suspicion of the use or possession by a student of any drug (either illegal drugs or misuse of legal drugs), drug-related equipment, alcohol or smoking or smoking related device, the Director or Head of Boarding or their delegate may in the presence of the student (accompanied by a person of their choice) and another Staff Member, search personal property. If any of the substances identified in this policy are found, the student's parents/carers will be notified and the School will notify any relevant authorities where necessary. In the event of possession of illegal drugs, the Board will be notified immediately and police contacted if required.

Any concerns a Staff Member or student has or may have or issues which relate to observed unusual or out of character behaviours by a Staff Member, Volunteer or a student, should be brought to the attention of the Director or the Head of Boarding, so they can be investigated promptly and addressed proactively to ensure the health and safety of all.

The School reserves the right to ask any Staff Member to undertake an appropriate drug or alcohol test if there is reason to believe that they may be under the influence of any substances which may impair judgement. Any unreasonable refusal by a Staff Member to undertake testing is likely to lead to disciplinary action. Staff Members are required to sign a consent form prior to taking a drug or alcohol test.

All information obtained through a drug or alcohol test is covered by Australian privacy laws and the School's Privacy Policy (4.1). The School will not use such information other than for the purposes for which it is collected. The purpose of such monitoring and examination is to ensure the health and safety of the individual and the wider School Community and, for any disciplinary purposes.

6.1 Disciplinary Action:

Disciplinary action may be taken against any student, Staff Member or Volunteer who is in breach of this policy. Corrective or preventative measures may also be applied, for example, counselling.

The Director or the Head of Boarding will decide whether any disciplinary action will be taken: this may involve consultation with the Board, Student Counsellor or teaching staff.

Disciplinary action for students in breach of this policy may include but is not limited to:

- Community service around the School Premises;
- Loss of any office held;
- Student probation (length to be determined on an individual basis);
- "2nd chance option", referral for counselling together with a mandatory requirement for the student to undergo random drug testing (blood and/or urine) at any time during the School year at the discretion of the Director, with all expenses to be borne by the student's parents/carers;
- Suspension;
- Expulsion, particularly but not limited to the case of a repeat offence.

Disciplinary action for Staff Members in breach of this policy may include, but is not limited to:

- Referral to the **Employee Assistance Program (EAP)**, an Australia-wide Helpline and/or other referral source for counselling, treatment or rehabilitation from drug or alcohol dependence;
- Performance counselling;
- Formal warning;
- Suspension;
- Termination of employment, particularly but not limited to the case of a repeat offence.