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COSGARNE

*Support and Accommodation
for People in Cornwall*

Cosgarne Hall, 81 Truro Road,
St Austell, Cornwall, PL25 5JQ



Title: **Drugs Policy**

This policy covers all properties owned or managed by Cosgarne Hall Ltd.: Cosgarne Hall, Little Cosgarne, Greenaway House and 22 Bodmin Road; and refers to all Residents, Staff and Volunteers of Cosgarne Hall Ltd., as well as to staff of Cosgarne Supported Accommodation providing support to those residents, and any other sub-contractor of Cosgarne Hall Ltd. The words "we" and "organisation" refers collectively to both CHL and CSA.

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1. PURPOSE, AIMS AND ETHOS

The aim of this organisation is to work with people in housing need. This includes those who currently use a range of legal and illegal drugs. It is not our role to pass judgement on the actions and life choices of our residents, but to support them in leading independent and fulfilling lives.

We neither condone nor approve of the possession, use or supply of illicit drugs.

However, we seek to work with residents to promote their well-being and reduce harm. In order to do this we seek to offer a service that is accessible to drug users, and will seek to avoid excluding drug-using residents where possible.

While wishing to provide an accessible and inclusive service to people who use drugs, the organisation also recognises that it has other duties and obligations including:

- An obligation to work within the law
- A duty to provide a safe arena for all workers and volunteers
- A duty to provide a safe arena for all Residents, including non-users
- A duty to work with and be sensitive to the local community

The organisation recognises that the intention to work with drug users may create tensions between staff and residents, between residents themselves, between service providers and the wider community and service providers and the Police. This document is intended to minimise these tensions and ensure safe and legal provision for all parties concerned.

2. RESIDENTS AND THE DRUGS POLICY

We have a drugs policy to protect the rights and safety of all residents. If you do use drugs we will still work with you: you will not automatically be subject to eviction or exclusion or be reported to the Police, just because you use illicit drugs.

Successful support depends on trust and openness between staff and residents: we want you to feel confident that you can discuss your drugs use with a member of staff as part of your support plan, in confidence and without fear of the consequences.

If you are not sure what the rules mean to you, please discuss them with your Key-worker or another member of staff.

3. NON-RESIDENTS AND THE DRUGS POLICY

Our tolerance of the use of controlled drugs does not include use by non-residents. Any non-residents using illicit drugs on our premises will be reported to the Police, required to leave immediately, and banned from returning to the premises. If you

invite non-residents onto the premises who use or supply controlled drugs here, we shall take action and you may be required to leave.

4. STAFF AND THE DRUGS POLICY

All Staff and Volunteers are expected to work to the drugs policy. Where staff are unhappy with an aspect of the policy, or are unclear how to deal with a situation, they should always discuss it with their line manager.

Failure to adhere to this policy will be treated as a serious disciplinary matter and may constitute Gross Misconduct.

5. DRUGS COVERED BY THE POLICY

The policy is primarily concerned with controlled drugs illicitly held. This includes, but is not limited to, heroin, ecstasy, cocaine, LSD, cannabis, and amphetamines. It also includes prescribed controlled drugs such as methadone or benzodiazepines when held without prescription.

The policy also addresses prescribed controlled drugs and prescription-only medicines.

It can also include drugs sold as "Legal Highs", many of which are not legal at all: just because the seller says they are legal, does not mean they actually are.

If you have any involvement with any of these drugs, the drugs policy affects you.

6. OUR OBLIGATIONS UNDER THE LAW

Section 8 of the Misuse of Drugs Act (1971) places obligations on owners and managers of premises to take steps to prevent certain activities on those premises. It is a criminal offence knowingly to allow those premises to be used for the following activities:

- Production or attempted production of any controlled drug, or
- Supply or attempted supply of any controlled drug, or
- Preparing opium for smoking, or
- Smoking cannabis or prepared opium.

We are therefore required by law to take steps to prevent such activity. This may include reporting such activity to the Police and / or eviction or exclusion, but we shall seek to avoid such action if possible: we shall take whatever we believe to be the appropriate action, after taking into account all of the circumstances. Our aim will be to prevent such activity continuing, not to punish it. Your welfare and that of our other residents and our staff, will always be the paramount consideration when deciding on what is the appropriate action to take.

We will take appropriate action under the drugs policy when we have concerns about drug-related activity both on and near the premises. This includes the entire building, and the area around it.

Drug-related activity in the neighbourhood around the building threatens the future of the organisation, and we will always take appropriate action when we become aware of such activity.

7. POSSESSION

Illegally-Held Drugs

EXAMPLES: Cannabis, Non-Prescribed Methadone, Heroin, Ecstasy.

We do not condone people bringing illicit drugs into the building. Where we know or suspect that this is happening we will discuss the matter with you and may take further action, especially if you are putting other staff or residents at risk or distress.

Prescribed Controlled Drugs and Medication

EXAMPLES: Methadone, Subutex, Diazepam.

If you are bringing prescribed controlled drugs or other prescribed medicines into the building please let your Key-worker or another member of staff know, for the safety of staff and other residents. Always keep drugs either on your own person, or store them somewhere securely (we can offer you facilities for secure storage - please ask your Key-worker or another member of staff). Please keep them in their original packaging and with labels intact, so we know that they are yours.

Do not give them to other people to take or to look after. Supplying legally held controlled drugs to another person, whether for payment or not, is illegal (see below under "Supply of Controlled Drugs")

Other Substances (Non-Medicinal, Non-Controlled)

EXAMPLES: Legal Highs, Poppers, Solvents, Betel, Khat

A number of substances are not currently controlled by law. We do not condone or encourage the use of such substances. As with other drugs we will always take some action if we become aware that you are in possession of such substances. This could include some enforcement action, where we consider that the possession of the substance could cause risk, harm or distress to other residents or staff.

Many drugs sold as "Legal Highs" are not legal at all: just because the seller says they are legal, does not mean they actually are. If you are unsure about the legality of any drug, either refuse it, or seek advice from a member of staff.

8. STORAGE OF DRUGS

Prescribed Controlled Drugs

EXAMPLES: methadone, diazepam

Some prescribed drugs and medicines are also controlled drugs. You must ensure that any controlled drugs prescribed to you, are safely and securely stored. If you fail to do so, you may be guilty of supplying controlled drugs, which is a serious offence, or even manslaughter: drugs prescribed for you and safe for you to use, can kill some people for whom they are not prescribed.

While we cannot store any controlled drugs on your behalf, we can assist you to store prescribed controlled drugs and we can offer you facilities for secure storage of prescribed controlled drugs. Please ask your Key-worker or another member of staff. If you are prescribed other medication, please discuss this with staff.

Other Controlled Drugs

EXAMPLES: Heroin, Cocaine, Cannabis, Ecstasy

Staff cannot and will not look after illicit substances for you, including non-prescribed controlled drugs. Should staff come in to possession of such substances for any reason, they cannot return them to you and will not do so, but will destroy them, or hand them to the Police or some other appropriate authority for destruction. Behaviour which is intended to intimidate staff into returning such substances is a serious breach of the policy and may result in further action, including eviction / exclusion and may be reported to the Police.

Other Medicines

EXAMPLES: Prozac, Aspirin, Antibiotics

We will help and support you to take responsibility for your own medication. If you find it difficult to manage your medication, talk to your Key-worker or another member of staff about this, so they can help you take your medication safely. While we can store some medication for you, this is something that staff will only do as a last resort, in exceptional circumstances.

9. FINDING DRUGS

Drugs that are left unattended are a risk to others - even if they are prescribed medicines. If staff find any substances unattended in communal or shared areas, they will remove them.

If the drug is an illegal drug it will be destroyed or handed in to the Police. If it is a prescribed controlled drug it will be handed in to a pharmacy. If we know they belong to you, we will discuss the matter with you.

If they are medicines, in their original packaging and with your name on it, we will try to return them to you if it is safe and appropriate to do so. Otherwise they are likely to be handed in to a pharmacy.

If we are uncertain if a substance is a controlled drug or not we will err on the side of caution and assume that it is a controlled drug, and handle it accordingly.

10. DESTRUCTION AND DISPOSAL

Staff may take possession of controlled drugs and other substances for the purpose of handing them in or destroying them.

11. PRODUCTION OF CONTROLLED DRUGS

EXAMPLES: Growing Cannabis

We cannot tolerate the production (growing or making) of any controlled drugs on site and if we know or suspect this is happening we will always take action to make sure it stops. This could include Police involvement or eviction.

12. SUPPLY OF CONTROLLED DRUGS

EXAMPLES: selling controlled drugs to other people is obviously Supply, but so also is giving them free of charge, obtaining controlled drugs for another person, giving someone some of your methadone, one resident injecting another with heroin, sharing controlled drugs, even just sharing a joint. These all, under the law, constitute Supply.

As you will see from the above list, "supply" covers a wide range of activities, not just selling drugs for financial gain ("dealing").

We will not tolerate the Supply of Controlled Drugs on the premises: not only is it illegal, but it can also be very dangerous and it can adversely affect the interests of other residents who may be reducing their drug use as part of their support plan.

Supply of drugs on site creates a serious risk for residents and staff and is something that we must take action to stop: we will always act where we know or suspect that supply is taking place.

We may take a range of different actions depending on the severity of the incident. We could end up seeking to evict, or involving the Police. Selling drugs for financial gain ("dealing") will almost always result in eviction and a report being made to the Police.

13. USE ON OUR PREMISES

While we do not encourage or condone the use of controlled drugs on site, we will wherever possible continue to work and house people who use drugs on site, provided they do so in a responsible manner.

Where staff know or suspect use of illicit drugs is taking place on our premises, they will always take action of some description. This action will be proportionate to all of the circumstances and could range from advice and support, or referral to an appropriate treatment provider, to enforcement action which in some circumstances may include you being asked to leave, and may include the Police being involved.

The use of controlled drugs is not permitted in any communal areas of the buildings, including toilets and bathrooms, and users of these drugs are required to behave responsibly at all times – disposing of used syringes and other equipment appropriately, and considering the welfare of other residents and project staff at all times. Drug use must not cause unease, distress or risk to any staff, visitor or fellow resident.

Residents who inject drugs must use sharps bins for the safe disposal of used works.

The organisation will not tolerate the use of any drugs on or near the premises that puts staff, volunteers, or other residents at risk of harm or prosecution, or causes distress, or brings the organisation into disrepute, or causes serious offence to our neighbours.

Using controlled drugs in the company of others doing the same, may constitute supply (see above) because if one person shares his drugs with another, or obtains them for the use of another person as well as himself, then by law he is supplying those drugs to the other person(s), which is a serious offence. It can also cause harm or distress to others or endanger their lives, especially if those people have not used the drugs before, or they have been prescribed for you. If you do this, you may risk prosecution or eviction.

Where one person who is not using drugs, is accompanying another person who is, in order to ensure that he can do so safely, we would not normally take any action against either person.

All residents are encouraged to raise any concerns they may have about irresponsible drug use or drug-related behaviour with their key worker or other project staff.

14. INJECTING EQUIPMENT AND SHARPS BINS

If you need to use needle exchange equipment then this equipment may be kept in your room. Needles and syringes should be sterile and in unopened packaging or in a sharps box. Equipment which is left open in rooms represents a health and safety issue, will be removed and may result in sanctions.

Other injecting paraphernalia can be kept in your rooms too, but must be kept safely and for your own use only.

Sharps bins are available to all service users for the safe disposal of razor-blades, toothbrushes, injecting equipment, bandages etc. All service users should dispose of such items safely. The unsafe disposal of items such as needles will be treated as a serious breach of your terms of residence.

If you are in any doubt about any of this, ask your Key-worker or another member of staff for advice.

15. FINDING NEEDLES AND HOW TO HANDLE THEM

If residents find unsafely discarded equipment they should not handle it themselves but should instead seek help from a member of staff. Trained staff will deal with small quantities of discarded needles.

16. OTHER DRUGS PARAPHERNALIA

EXAMPLES: possession of scales, possession of a crack pipe, possession of a bong

We do not condone residents bringing drug paraphernalia on site and, where we think this is associated with illicit drugs we will always discuss this with you. If we become aware of paraphernalia that belongs to you we may need to take further action. If the paraphernalia suggests supply might be taking place, we will act under the sections of this policy about SUPPLY. If the items that we have found suggest cannabis smoking is taking place we will take action as described in the section on Possession.

If the paraphernalia represents a risk to staff or other residents we will remove it and discuss the matter with you. This may result in some sanctions being imposed.

17. SUSPECTED OVERDOSE

If you or a friend become unwell after using any drugs, or you are worried that you or someone else may be overdosing, you should always seek help as fast as possible. This means finding a member of staff. If no staff are on site you should call an ambulance. Even if you know how to carry out first aid you should also contact a member of staff or the emergency services.

The organisation's priority will always be to ensure the safety of residents and any overdoses will be treated as a medical emergency first and foremost rather than seeking to 'punish' people for breaking the rules.

Residents should also remember that failing to seek help, or not contacting emergency services, can put lives at risk or increase the risk of legal problems should anything go wrong. The safest course of action for everyone is to seek help.

18. SUSPECTED HEROIN OVERDOSE

For suspected Heroin overdoses, supplies of Naloxone are available in red boxes in various places around the building: if in doubt, use it and do so as soon as possible, as speed is important. Clear instructions about the use of Naloxone are posted alongside the red boxes: please follow these carefully when administering Naloxone. More information about this is available from your Key-worker or any member of staff.

19. RECORD KEEPING

The organisation keeps records of drug-related incidents and these will be shared amongst members of staff on a "need-to-know" basis. Information may be recorded in personal files, incident or accident books as required.

Residents are entitled to see any written information about them kept on file; however some information may need to be withheld to protect the identity of other residents. If you disagree with something that has been written about you, you may discuss this with staff to address this situation.

20. CONFIDENTIALITY

We offer a service that aims to protect your right to privacy. In most circumstances we will not discuss anything about you outside this organisation without your consent. We may be able to offer you a better service if we can discuss your situation and needs with external agencies. We will normally only do this with your permission.

However, if your actions or behaviour represents a serious risk to the safety or well being of other residents, staff, the community or the organisation, or other agencies, we may have to disclose information without getting consent.

If we become aware of serious criminal activity, such as drug supply, we may need to share information about this with the Police.

21. POLICE INVOLVEMENT

The organisation will maintain effective working relationships with the Police. Where the law requires it, or the situation warrants it, we shall ensure that we support the Police in their work.

22. VISITORS

If you invite visitors into the building, or your room, you share responsibility for their behaviour. If they breach this policy, action will be taken against them, and the person who invited them onto the premises, i.e. you.

If you have a visitor or a guest who is causing you a problem, please inform a member of staff.

If a visitor or guest breaches this policy and you are unable or unwilling to prevent this, you should be aware that this may jeopardise your continued residency and may be reported to the Police, depending on the severity of the incident.

23. EQUAL OPPORTUNITIES

All Residents have a right to be treated with respect, fairness and dignity by both workers and other Residents. This organisation will work with people who use drugs, and those who do not.

We shall therefore treat as a breach of our Equal Opportunities Policy, any abusive, threatening, or offensive language, or behaviour which discriminates against people who use drugs, or who do not.

24. STAFF AND VOLUNTEER CODE OF CONDUCT

Staff and volunteers must not use any controlled non-prescribed drug, or non-medicinal drugs controlled under the Medicines Act during working hours. Such use will constitute a serious disciplinary issue, and may result in dismissal for Gross Misconduct.

Staff and volunteers should not work when incapacitated due to the effects of such drugs, or after-effects of such drugs. Staff are instead required to take annual leave or use TOIL if available. The use of sick leave in such circumstances will be treated as a serious disciplinary issue.

Staff and volunteers who are prescribed controlled drugs (e.g. methadone) should ensure that their medication is securely stored while at work, and should ensure that they do not drive or operate machinery while using such medication.

If a member of staff develops substance-related problems, the organisation will seek to assist them in resolving this, and time off for counselling, treatment or other assistance will be made available, in consultation with the Support Manager or the Principal.

The organisation will always seek to provide assistance to staff members in such situations but the offer of such assistance does not preclude termination of employment should it be deemed appropriate.

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