

POWYS CHALLENGE

Registered Charity Number 1091494 Company No: 4350654

DRUGS POLICY AND PROCEDURES

1 Context

Powys Challenge is an independent, registered charity whose aim is “to reduce crime and the fear of crime, and to tackle the causes of criminal behaviour in Powys by providing a range of support services and opportunities to offenders, defendants, those at risk of offending and their families”. Powys Challenge achieves this aim through working in partnership with other agencies (in the statutory, public and voluntary sectors) and by working with a team of trained volunteers who offer support packages under the direction of professional caseworkers. Powys Challenge employs a staff team and currently has over one hundred volunteers working throughout the county.

Powys Challenge maintains an office base in each of the three Powys Shires. These bases are located in Brecon, Newtown and Llandrindod Wells. In Brecon and Newtown, Powys Challenge have independent premises housing their offices. In Llandrindod Wells, Powys Challenge has independent premises housing the Radnorshire office and the county headquarters. In addition, staff share offices with the Powys Youth Offending Teams in Newtown and Brecon.

2 Policy Aims

Powys Challenge is committed to the health and safety of its staff, volunteers and clients and will take action to safeguard their well-being.

Powys Challenge believes that in fulfilling its aim of tackling the causes of criminal behaviour, it has a duty to inform and educate its clients on the consequences of drug use and misuse.

Powys Challenge also believes that it should be guided by the principle of harm reduction and will support its staff and volunteers in the implementation of this principle. In accordance with this principle, Powys Challenge works within the guidelines of the National Probation Service’s Policy, Practice Issues and Guidelines ‘Work with Substance Users’ (1995) (see Appendix 2), and any amendments to these.

Powys Challenge supports the following aims in regard to substance use and misuse: -

- To provide accurate information about substances to enable clients to make informed choices.
- To increase understanding about the implications and possible consequences of drug use and misuse.
- To seek to minimise the risks to drug users and potential drug users.
- To enable clients to identify sources of appropriate personal support and assist with referral to such agencies where appropriate. The principal agency in Powys is Powys Drug and Alcohol Council to whom referrals will be made when appropriate.
- To comply with all legal requirements in relation to the use of drugs.
- To ensure that clients are fully aware of any action taken in respect of controlled drugs.

3 What is a Drug?

‘Drugs’ is a widely used term. For the purposes of this policy, the term includes: -

- illegally held substances (i.e. controlled drugs which cannot be bought over the counter).
- legal substances including alcohol and solvents which are open to misuse.
- legal substances prescribed for a person other than the person carrying them.

4 Legal Framework and Professional Obligations for Staff and Volunteers

Whereas the majority of the work of Powys Challenge takes place in premises not under its control, staff and volunteers do undertake work with clients on Powys Challenge premises. Powys Challenge will not permit illegal drugs on its premises. However, staff and volunteers, usually in conjunction with other agencies who work constructively and positively with clients who use illegal drugs, will provide support.

Section 8 Misuse of Drugs Act 1971 states: -

"A person commits an offence if, being concerned with the management of any premises, s/he knowingly permits or suffers any of the following: -

- Production of controlled drug
- Supply, attempt to supply or offer to supply a controlled drug
- Preparing opium for smoking
- The smoking of cannabis, cannabis resin or prepared opium"

Definitions - In the context of the above act:

- **Premises** means all rooms, outbuildings, foyers, gardens etc for which Powys challenge has responsibility.
- **Management** means both manager and any worker (paid or unpaid) who has the power to invite or exclude someone from the premises.
- **Permit** means that permission must not be given for any illegal activity
- **Suffer** means that active steps must be taken to prevent illegal activities taking place.
- **Production** includes growing cannabis and drying mushrooms.
- **Supply** includes all selling, lending, or giving of controlled drugs whether prescribed or not, and the offer to do so whether the drugs are passed or not.
- **Controlled Drugs** include any drugs which cannot legally be bought over the counter at an ordinary retail outlet.

5 Action

- **No illegal drugs are allowed on any Powys Challenge premises.**
- **Immediate action will be taken to stop the following activities during any work with clients on Trust premises:**
 - (a) **Production of a controlled drug**
 - (b) **Use of any illegal drug or substance**
 - (c) **Abuse or attempted abuse of solvents**
 - (d) **Supply, attempting to supply, offering to supply or consumption (by any means) of controlled drugs to any person involved in an activity under the control of Powys Challenge.**

Such activities, if allowed to take place, put Powys Challenge staff at risk of prosecution under the Misuse of Drugs Act or the licensing laws.

In addition:

- **Powys Challenge allows no alcohol and no smoking on its premises.**
- **If any illegal drugs are found, they will be confiscated by staff or volunteers and the police will be informed immediately**
- **Powys Challenge staff and volunteers will always co-operate with the police – this extends to allowing the police to search Powys Challenge premises if a situation should warrant this.**

6 Risk Assessment

A risk assessment of Powys Challenge premises will be carried out to ensure the safety of staff, volunteers and clients. The risk assessment will be reviewed as necessary and is the responsibility of the senior staff member working at the premises. Staff members will be

responsible for ensuring that individual clients comply with the drugs policy and do not present a risk to themselves or others when using Powys Challenge premises.

7 Prescribed Medication

- Prescribed medication is the responsibility of the client and will be held by her/him.
- Powys Challenge staff and volunteers will not take responsibility for either holding prescribed medication on behalf of a client, or administering any such medication.
- Powys Challenge staff and volunteers may remind clients about taking prescribed medication if appropriate.
- Powys Challenge staff and volunteers must never recommend any form of medicine to any client or suggest any alteration in the administration of medication prescribed by an authorised medical practitioner.

8 Works/Drugs

The possession of clean needles/syringes stored safely and responsibly will not be regarded as evidence of drug use on Powys Challenge premises. This means that any equipment is sealed in its original packaging

The safe storage of all equipment will be expected of registered users and failure to do so will result in confiscation of the equipment and removal of the client from Powys Challenge premises. A disposal bin will be provided in Powys Challenge premises to ensure safe disposal of any equipment.

9 Drug Dealing

- **Any client found supplying any controlled drug on or around Powys Challenge premises will be liable to immediate removal and a six-month ban from all Trust premises.**
- **Powys Challenge staff and volunteers have a responsibility to inform the police of supplying or suspected supplying of drugs on or around Powys Challenge premises.**

10 Drug-induced Behaviour

- **If a client's behaviour leads staff or volunteers to suspect that s/he has been misusing any drug, the client will be asked to leave.**
- **Unacceptable behaviour through drug use will lead to a warning letter or immediate ban from the premises. The length of a ban will be dependent on the seriousness of the behaviour.**

11 Informing Clients about the Drugs Policy

Powys challenge will display notices in any of its premises. Such notices will summarise the policy and inform clients where a copy of the policy may be found. See Appendix 1.

12 Harm Reduction

Where necessary, informed advice about harm reduction should be sought from the appropriate agencies – see below.

13 Confidentiality and Support

Staff and volunteers may maintain confidentiality and are not obliged to inform medical personnel, police or parents (if a young person) when they learn that a client has used illegal drugs. However, as part of the partnership working agreement between caseworker, client and Powys Challenge, it is expected that the case manager will be informed. When working with under 16's where there is an indication of a risk to health through repeated use of alcohol, solvents or any illegal drug, the case worker must be informed immediately.

Powys Challenge encourages an attitude of honesty and openness in its work with clients and partnership agencies.

14 Staff and Volunteers

- Refer to Health and Safety Policy
- Refer to Disciplinary Policy in respect of staff or volunteers under the influence of illegal drugs.
- Powys Challenge staff and volunteers should be made aware of any known drug users who access Powys Challenge premises.
- A First Aid kit is available on the premises. Some staff members and volunteers have undertaken First Aid training; others are encouraged to do so.
- If a client displays serious signs of illness which may cause a risk to her/his health, staff or volunteers must contact a local GP or the emergency services
- Staff and volunteers should be aware of the risks of blood borne diseases, which may result from intravenous drug use and subsequent contact with body fluids.
- Any equipment found on the premises should only be disposed of by staff or volunteers who feel confident to do so.
- To dispose of equipment, staff or volunteers should
 - o ALWAYS USE GLOVES
 - o ALWAYS DISPOSE OF EQUIPMENT SAFELY
 - o TAKE CARE WHEN PICKING UP CLOTHING OR OTHER ARTICLES.
- If a Needle stick injury is incurred, the staff member or volunteer should:
 - o CONTACT ANOTHER MEMBER OF STAFF
 - o SEEK MEDICAL ATTENTION IF NECESSARY
 - o FOLLOW UP WITH GP
 - o REFER TO SERVICES LISTED BELOW.

15 Records

- (a) In relation to any work undertaken on Powys Challenge premises, staff and volunteers must keep a daybook, which includes the following
- List of clients
 - Staff or volunteers on the premises
 - Any pertinent factors about individual clients
 - Details of any illegal substances identified on Powys Challenge premises and...
 - Action taken in the event of concerns about drugs.
- It must be remembered that organisation records will not be confidential if required as evidence before the courts
- (b) Where staff or volunteers are working with people in the community it is expected that records will be completed for all clients in the normal way, and copies forwarded to case officers.

NOTE: *When staff or volunteers are working with clients on premises managed by other agencies, the procedures of the managing agency must be followed.*

16 Implementation

- All staff and volunteers who work in Powys Challenge premises will be given a copy of the Drugs Policy.
- Drugs Policy procedures will be included in induction processes
- Drugs policy procedures will be included in volunteer training.
- Notices defining the policy will be put up in Powys Challenge premises.
- The Policy will be reviewed annually, or more frequently if necessary.
- Policy guidelines will be rigorously implemented and consistently enforced.

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DRUGS POLICY

- CONTROLLED DRUGS INCLUDE ANY DRUGS THAT CANNOT LEGALLY BE BOUGHT OVER THE COUNTER.
- IT IS ILLEGAL TO SUPPLY, ATTEMPT TO SUPPLY, OR TO OFFER TO SUPPLY ANY CONTROLLED DRUG. THIS INCLUDES GIVING OTHER PEOPLE YOUR PRESCRIBED MEDICINE, IF IT IS A CONTROLLED DRUG, AS WELL AS ILLEGAL DRUGS SUCH AS CANNABIS.
- IT CAN BE AN OFFENCE TO HAVE SOMEONE ELSE'S PRESCRIBED MEDICINE IN YOUR POSSESSION.
- ANYONE INVOLVED IN ILLEGAL ACTIVITIES IN RELATION TO CONTROLLED DRUGS ON POWYS CHALLENGE PREMISES FACES POSSIBLE EXCLUSION.
- ANYONE FOUND SELLING OR SUPPLYING CONTROLLED DRUGS ON POWYS CHALLENGE PREMISES WILL BE REPORTED TO THE POLICE.
- POWYS CHALLENGE STAFF AND VOLUNTEERS HAVE NO RIGHT TO SEARCH YOU FOR DRUGS, BUT CAN CALL THE POLICE IF THEY HAVE REASONABLE GROUNDS TO THINK THAT YOU HAVE ILLEGAL DRUGS IN YOUR POSSESSION.
- POWYS CHALLENGE WILL NOT ALLOW ALCOHOL ON ITS PREMISES.
- NO SMOKING IS ALLOWED ON ANY POWYS CHALLENGE PREMISES.
- IF YOU ARE IN ANY DOUBT ABOUT WHAT IS, OR IS NOT ALLOWED, PLEASE ASK A MEMBER OF STAFF.

A COPY OF POWYS CHALLENGE DRUGS POLICY CAN BE FOUND IN OUR OFFICES. PLEASE TELEPHONE 01597 822400 TO ASK FOR A COPY.

SERVICES

POWYS HEALTH PROMOTION UNIT	01874 711661
POWYS DRUGS AND ALCOHOL COUNCIL	01597 825131
POWYS AIDS LINE SERVICES	0800 824200
NATIONAL DRUGLINE	0800 776600
EMERGENCY SERVICES	999

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WORK WITH SUBSTANCE USERS

POLICY, PRACTICE ISSUES AND GUIDELINES

1. Policy

National Probation Service's Policy is based on its view of good practice in working with substance users, and follows the approach recommended in the report by the Advisory Council on the Misuse of Drugs (1991), endorsed by the Thematic Inspection Report by H M Inspectorate of Probation into Offenders who Misuse Drugs (1993). The key elements of this policy are:

- A harm reduction approach to working with substance users.
- Communication of this approach to other agencies in the criminal justice field, including sentencers.
- Multi-agency co-operation and work. The Service is committed at all levels to enhancing and extending its inter-agency work, and through this work to expanding the range of facilities available on an on-going basis to substance users.

The aims and objectives of the Policy are to:

- Encourage self-disclosure.
- Reduce the harm to individuals of their substance use.
- Ensure access to an appropriate range of treatment facilities/interventions.
- Reduce harm inflicted on the community as a whole, not only substance users.

2. Practice Issues and Guidelines

Introduction

A significant proportion of offenders who come into contact with the Probation Service use alcohol and/or drugs. For some of those people their offending is either as a direct result of their use of substances, or is committed to help finance their use.

Attempts to identify individual users are often thwarted by their reluctance to disclose past or present use of substances to anyone in the statutory agencies, particularly those associated with the Criminal Justice System. This is especially so in the case of illegal drug users.

Since the physical signs of substance use can easily be concealed by anyone determined to do so, attempts to identify users are less likely to be successful than attempts to encourage self-disclosure by users. In the case of drugs the fact that their use is by definition an illegal activity is naturally the most important obstacle to self-identification.

Offenders will be reluctant to disclose a problem with substance use unless they perceive some advantage in doing so. So workers in the Criminal Justice System need to provide incentives, or at least to minimise disincentives, for users to disclose substance use. Potential obstacles to self-disclosure may include:

- Fear that disclosure might lead to a harsher sentence.
- The prospect of a remand in custody.
- Lack of guarantees for the confidentiality of personal health information.
- Lack of availability of a range of treatment facilities.

The Probation service has a crucial role in resolving these problems through its responsibilities for providing information to the Courts and for administering community penalties.

National Probation Service believes that a harm reduction approach is the most effective way of addressing these issues.

Harm Reduction Approach

Broadly a harm reduction approach accepts that clients are abusing substances and may well continue to do so. A valid aim may be to encourage them to use less harmful substances in less harmful ways, for example smoking drugs rather than injecting them. Opportunities should also be taken to encourage less harmful medically prescribed drugs, for example methadone in place of heroin. National Probation Service will support staff adopting harm reduction strategies with their clients, provided that they have acted responsibly within Service Guidelines.

The Service believes that its staff can and should work with people who are using substances, but accepts that moral, ethical and legal dilemmas will arise in this work. These dilemmas vary, but basically amount to the question of how Probation staff can work honestly with people who are breaking the law directly or indirectly by their substance abuse, without collusion and without condoning the activity in question.

Probation staff should ask all offenders about the possibility of substance use. This is not to deny that difficult questions of confidentiality arise in the preparation of Pre-Sentence Reports.

Staff need to be aware that substance use in its many forms is widespread amongst offenders (and indeed the general population), and that for certain groups, particularly young people, it is highly fashionable. Purely 'recreational' use of substances in some cases may not have contributed to offending behaviour or be a problem in an offender's life, and as such would probably not merit inclusion in Pre-Sentence Reports, unless it had some other significance in the offender's life. Nor for that matter should such use necessarily assume significance or require any particular action should the issue arise with offenders who are being supervised. However, in most cases of illegal substance use offenders need to be reminded of the risks they run in terms of the illegality of their use and the potential damage to themselves of further Court appearances and convictions.

Substance use which has contributed to offending or which has become a problem in the offender's life will need to be dealt with differently, and will almost certainly be referred to in a Pre-Sentence Report. Initially it is important that an accurate assessment is made of the extent of the problem, and the offender's co-operation in this process should be encouraged as far as possible. Whilst there will be different approaches by different Courts, some Courts will be interested in the offender's rehabilitation. Consideration should be given to referral to another agency, with the offender's consent, when it is felt that such a referral is required for assessment and/or treatment or when it is felt that the offender may be more willing to disclose the extent of their use with another agency which does not have a duty to report to Courts. In this way offenders can avail themselves of harm reduction advice, rather than receive no assistance at all.

The Service accepts that people using substances will generally continue to do so at least for a time after work on the dependency problem has begun. It is important that they are aware of this, so that a more realistic discussion can take place about their substance abuse, to include information as to how they can minimise the harm to themselves of continued use, by for example participating in needle exchange. In some cases total abstinence is never an achievable goal and where abstinence or control is achieved, lapse is more likely than not.

The Service also believes that valuable work can and should be undertaken with people with obvious substance use problems who express no motivation to modify their habit. Work may initially concentrate on helping to relieve the structural (financial, employment, accommodation, etc) problems and pressures these clients may have, and then to encourage at least some thought about the costs and benefits of their substance use in the hope that motivation may develop.

Framework of Operation

It is suggested that at an early stage staff should set ground rules for their work with people. This can be done either verbally or, if appropriate, in writing. Ground rules may for example include:

- The Officer accepts that the person is using illicit drugs and is willing to work on the problems this produces in confidence. That confidence would not include serious matters such as those involving Child Protection issues, and threats to life or limb.
- Any clear substantiated evidence that the person is supplying drugs to others will lead to the Police being notified.

The Service accepts that flexibility is needed and that staff must vary their working agreements with offenders to suit individual circumstances. A general principle may be helpful: the Service believes that in working with people using illicit substances staff must take care to act responsibly and to demonstrate that they have done so. Staff facing dilemmas in their work should seek support and clarification from their line manager or from the Senior Probation Officer with responsibility for substance issues.

Multi-Agency Approach

Multi-agency work is crucial to the proper functioning of a harm reduction approach. Other agencies have specific resources and expertise which can be crucial in certain cases. For example, the involvement of medical personnel is essential in cases where clients propose detoxification or gradual withdrawal from the regular use of certain substances. Street agencies will be particularly knowledgeable about the current use and effects of a wide range of substances, and are able to offer a very different approach to that provided by workers in statutory agencies. They are also likely to be expert at handling people under the immediate influence of substances, and will be perceived in a different way by users.

Community Service

The safe operation of Community Service within health and safety guidelines requires that offenders are not under the influence of substances when undertaking their work "on site". That does not preclude offenders who use substances, even those who are judged to have a significant problem, from being made subject to Community Service Orders. However, before making proposals for offenders for Community Service Orders, Probation Officers should assess whether the offender has sufficient control over any substance use to be able to turn up for Community Services "substance free" on a regular and consistent basis. Any offender turning up for Community Service under the influence of substances or found to be taking substances during their session, will be instructed to leave the site immediately.