

# HORIZONS COLLEGE – POLICY & PROCEDURE

## DRUGS, ALCOHOL AND SMOKING POLICY



**Purpose:** The purpose of this policy is to outline how the school manages students' use, possession or supply of *Banned Items and Substances* at school and school-related activities, including processes for searching and removing property.

**Scope:** All students (including those aged 18 years and over)

- References:**
- [Therapeutic Goods Act 1989 \(Cth\)](#)
  - [Tobacco and Other Smoking Products Act 1998 \(Qld\)](#)
  - [Liquor Act 1992 \(Qld\)](#)
  - [Work Health and Safety Act 2011 \(Qld\)](#)
  - Horizons College Positive Behaviour Support Policy
  - Horizons College Complaints Handling Policy
  - Horizons College Complaints Register
  - Horizons College Incidents Register

|                       |                                                             |                               |                   |
|-----------------------|-------------------------------------------------------------|-------------------------------|-------------------|
| <b>Policy Name:</b>   | Drugs, Alcohol and Smoking Policy                           |                               | Version 202606_01 |
| <b>Policy Type:</b>   | School Operations                                           |                               |                   |
| <b>Supersedes:</b>    | Alcohol, Tobacco & Illicit Drugs Policy – Version 202502_01 |                               |                   |
| <b>Authorised by:</b> | Executive Principal                                         | <b>Date of Authorisation:</b> | June 2026         |
| <b>Review Date:</b>   | Every 2 Years                                               | <b>Next Review Date:</b>      | June 2028         |
| <b>Policy Owner:</b>  | Executive Principal                                         |                               |                   |

Note: Policy types marked with asterisks as follows are:

\* published on school website

\*\* only mandatory for schools incorporated through the *Corporations Act 2001* (Cth)

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### Policy Statement

Horizons College is committed to a safe, supportive and drug-free environment and the health of all school community members. Horizons College is also committed to ensuring students are educated on the impacts of substance misuse.

### Definitions

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- **Alcohol** means liquor as defined in the *Liquor Act 1992 (Qld)*.<sup>1</sup> *It is illegal to supply anyone under 18 with alcohol, except in certain circumstances in private places*<sup>2</sup>.
- **Banned Items and Substances** are those included by the school in the list of *Banned Items and Substances* in the above Policy Statement.
- **Dangerous Drugs** are things stated in [Schedule 1](#) and [Schedule 2](#) of the [Drugs Misuse Regulation 1987 \(Qld\)](#) and other things prescribed in [Section 4: Definition of 'dangerous drugs'](#) in the [Drugs Misuse Act 1986 \(Qld\)](#). For example, amphetamine, cocaine, heroin, LSD (acid), MDMA (ecstasy), cannabis, methadone, opium, and benzodiazepines (e.g. Valium and Serepax). Under the [Drugs Misuse Act 1986 \(Qld\)](#) possessing and supplying others with dangerous drugs is a criminal offence.
- **Illicit Nicotine Product** means vaping goods or another product containing nicotine or another substance detrimental to health prescribed by regulation<sup>3</sup>. The supply of *illicit nicotine products by adults to children under 18 years is an offence in Qld*<sup>4</sup>.
- **School Community** means the students, teachers, parents/carers of students, visitors and other employees of the school.
- **Smoke** means to smoke, hold or otherwise have control over a smoking product when it is ignited. For a vaping device, it means to inhale through the device<sup>5</sup>.
- **Smoking Products** are tobacco products, herbal cigarettes or loose smoking blends<sup>6</sup>.
- **Smoke-free Zones** are areas defined under legislation as 'school facilities', being land on which non-State schools<sup>7</sup> provide primary, secondary or special education or other educational instruction or activities (e.g. sporting activities on sporting grounds). The smoke-free zone also includes a buffer zone around the perimeter of the school facility that extends for five metres beyond the facility's land boundary. The zone also includes land on which a carpark is located, if the carpark is adjacent to a school facility and provided for the exclusive use of the school community.

It is an offence for a person (including students) to smoke tobacco products or vapes in a smoke-free zone in Queensland<sup>8</sup>. The offence does not apply to persons in any residential or business premises that are within

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<sup>1</sup> *Liquor Act 1992 (Qld)*, s4B

<sup>2</sup> *Liquor Act 1992 (Qld)*, s156A

<sup>3</sup> *Tobacco and Other Smoking Products Act 1988 (Qld)*, Schedule 1 Dictionary

<sup>4</sup> *Tobacco and Other Smoking Products Act 1988 (Qld)*, s161C

<sup>5</sup> *Tobacco and Other Smoking Products Act 1988 (Qld)*, Schedule 1 Dictionary

<sup>6</sup> *Tobacco and Other Smoking Products Act 1988 (Qld)*, Schedule 1 Dictionary

<sup>7</sup> *Education (Accreditation of Non-State Schools) Act 2017*, s6

<sup>8</sup> *Tobacco and Other Smoking Products Act 1988 (Qld)*, s128

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the buffer zone or that share a boundary with school facility land, or persons travelling through the buffer zone in a motor vehicle.

- **Tobacco Products** are tobacco prepared for consumption or something containing tobacco for consumption and includes a cigarette, cigar and loose tobacco but does not include a smokeless tobacco product or vaping goods<sup>9</sup>.
- **Unlawful Items and Substances** include dangerous drugs or any other items and substances that are unlawful for a student to possess, use or supply in Queensland.
- **Vaping Goods** are a vaping substance, vaping accessory, vaping device or goods presented to be of this type or otherwise prescribed in regulation<sup>10</sup>.
- **Vaping Substance, Vaping Accessory and Vaping Device** are vaping-related terms that are further defined in the [Tobacco and Other Smoking Products Act 1998](#)<sup>11</sup>

### Banned Items and Substances

Horizons College prohibits all students from possessing, using or supplying any of the following items or substances at school or school-related activities:

- Dangerous drugs
- Illicit nicotine products, including vaping goods, smoking products and tobacco products
- Alcohol
- All other Unlawful Items and Substances.

### Responsibilities

#### School Responsibilities

Horizons College acknowledges its responsibility to:

- Develop and implement this policy to help ensure the safety of students.
- Communicate this policy to students, parents/carers and staff.
- Keep appropriate records, monitor, and report on any issues related to the use, possession or supply of any banned items or substances at school or school-related activities.
- Encourage students, parents/carers and staff to support this policy and contribute to a healthy school culture.
- Implement appropriate curriculum-related drug education for students.
- Provide appropriate support services to students or contact with health service providers.

#### Staff Responsibilities

At Horizons College staff have a responsibility to:

- Ensure the safety of students.
- Contribute to a healthy school culture

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<sup>9</sup> *Tobacco and Other Smoking Products Act 1988* (Qld), Schedule 1 Dictionary

<sup>10</sup> *Tobacco and Other Smoking Products Act 1988* (Qld), s7

<sup>11</sup> *Tobacco and Other Smoking Products Act 1988* (Qld), s7

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- Adhere to this policy and other relevant Horizons College policies, procedures and rules in responding to any known or alleged breaches of this policy.

### Parent/Carer Responsibilities

Parents/carers of students at Horizons College have a responsibility to:

- Contribute to a healthy school culture.
- Read and understand this policy, and ensure their child reads and understands this policy.
- Support their child in not breaching this policy and assist them to understand that any breach of this policy may result in disciplinary action.

### Student Responsibilities

At Horizons College, students have a responsibility to:

- Contribute to a healthy school culture.
- Read and understand this policy if they have the capacity to do so, otherwise a parent/carers should read and understand this policy on behalf of the student.
- Not breach this policy, which includes, among other things included in this policy:
  - Not possessing, using or supplying any banned items or substances at school or school-related activities.
  - Not smoking tobacco products or vapes in the school facility and the buffer zone, defined as a 'smoke-free zone', at any time including during and after school hours, on weekends and during school holidays. It is an offence for a person (including students) to smoke tobacco products or vapes in a smoke-free zone in Queensland <sup>12</sup>.

## Implementation

### Action plan

If Horizons College becomes aware, or reasonably suspects, that a student has breached this policy, the school will take the following action, as appropriate in the circumstances:

- Ensure the safety of students, staff and any other persons concerned.
- Interview the student.
- Search the school or the student's personal property (if required), adopting the processes outlined below.
- Remove the student's personal property (if required), adopting the processes outlined below.
- Offer appropriate support to any student involved in the matter.
- Implement any other consequences or actions that might be appropriate in the circumstances, including potential disciplinary action under the school's Positive Behaviour Support Policy.
- Consider the need to communicate the incident to staff, students and parents/carers, taking into account the privacy of the persons concerned and the duty of care the school owes to other students and staff.
- Keep accurate records of the events and actions taken.

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<sup>12</sup> Tobacco and Other Smoking Products Act 1988 (Qld), s128

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### ***Property Searches***

A Principal has a legal obligation to ensure school premises remain safe and secure for students, school staff and other visitors. This duty arises from both the common law duty of care and the *Work Health and Safety Act 2011* (Qld). To give effect to this obligation, Horizons College has developed the following procedures to manage this duty of care while balancing respect for a student's person and property.

### ***Searching School Property***

Student lockers and desks are school property and school staff can search them and any other school property for items or substances without permission of the student or a parent/carer if there are reasonable grounds to suspect the possession of dangerous drugs (an offence under the Drugs Misuse Act) or other items or substances that are included in the list of *Banned Items and Substances* in this policy.

### ***Searching Personal Property***

Generally, school staff will seek consent from the student or a parent/carer before searching a student's personal property (e.g. a school bag). If a student is asked for consent and refuses, consent will be obtained from a parent/carer before the search is conducted.

If search consent has been obtained, the following search practices will be adopted:

- The search will be conducted by asking the student to open their personal property (e.g. school bag) and for the student to move any contents around so that they can be more easily viewed by the staff member conducting the search, rather than the staff member opening the bag and touching the items themselves.
- The search will be dealt with in a sensitive manner, including being undertaken in a private setting away from other students and while the student is present.
- Where practicable, an independent observer such as another staff member will also be present.
- There will be no physical contact with a student by a staff member when a search is being conducted. While a staff member can ask a student to empty their pockets, any physical search of a student will only be carried out by police.

If consent to open and search student personal property is not given, and school staff reasonably believe the student is in possession of property that is illegal to possess, threatens the safety or wellbeing of students, school staff or other persons, or is reasonably suspected to have been used to commit a crime, the school will call the police.

- Under the [Police Powers and Responsibilities Act 2000](#) (Qld), the police have the power to search students, their possessions and their vehicles if they reasonably suspect they will find evidence of a drug offence.
- If police are requested to attend the school to conduct a search of a student or a student's personal property, an attempt will be made to contact the student's parents/carers prior to any search being conducted to notify them of what will be taking place.
- If parents/carers cannot be contacted prior to the search being undertaken, school staff will contact them after the search has been completed to inform them of the search and any subsequent action taken.

### ***Removing Personal Property***

If the staff member holds a reasonable belief that the student is in possession of items or substances that:

- are illegal to possess; or
- threaten the safety or wellbeing of students, school staff or other persons; or
- are included in the list of *Banned Items and Substances* in this policy; or

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- are reasonably suspected to have been used to commit a crime;

Then school staff will immediately remove the personal property, item or substance and obtain consent to search the bag (if required) or call the police.

If the police have informed the school that they will be attending the school to investigate matters relating to the temporarily removed item or substance, it will be retained by the school until the police instruct otherwise.

The item or substance will not be returned if a police officer has seized the property under the [Police Powers and Responsibilities Act 2000](#) (Qld). In these circumstances, the student and their parent/carer will be advised of this action and that the temporarily removed student property is no longer in the possession of the school.

If the school staff member knows or reasonably suspects the student is not the owner of the item or substance, they will make reasonable efforts to return the item or substance to the owner, provided that school staff consider possession will not present a safety or wellbeing risk to any student, school staff or other person.

School staff will make arrangements for the property to be collected by the student or parent/carer at the conclusion of the school day, or if this is not possible, as soon as practicable, with consideration of:

- the condition, nature and value of the property
- the circumstances in which the property was removed from the student
- the safety and wellbeing of all students, school staff and other persons
- the good management, administration and control of the school.

The item or substance will be returned to a parent/carer and not the student, if school staff consider that possession of the material or substance by the student will present a safety or wellbeing risk to any student, school staff or other person.

If school staff have made reasonable efforts to notify the student or their parent/carer that the property is available for collection (e.g. multiple phone calls) and have not been able to make contact so that the item or substance has not been collected, the school will retain the property until it is collected.

School staff will not access information from temporarily removed student property such as mobile phones or other personal electronic devices, for example by unlocking, accessing or copying information.

### **Risk Management Framework**

Horizons College's Risk Management Framework provides further guidance on the process and approach to managing risks involving student's use, possession or supply of all Banned Items and Substances at school and school-related activities.

### **Information, training, instruction, and supervision**

Horizons College will ensure that appropriate information, training, instruction, and supervision is provided to students and staff regarding this policy.

### **Compliance and Monitoring**

#### **Incident Reporting**

Horizons College will keep accurate records of any incidents involving alcohol, tobacco and illicit drugs and all action taken in the Horizons College Incidents Register. The school will regularly monitor, collate, and report on these incidents.

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### **Training**

On induction and with annual refreshers, Horizons College will train its staff on this policy, any related processes and the conduct of staff and students.

### **Complaints Procedure**

Suggestions of non-compliance with this policy and any related processes may be submitted as complaints under Horizons College's Complaints Handling Policy.