**ILLEGAL POSSESSION OF DRUGS ON PREMISES**

**Purpose**

To guide employees and people we support in dealing with illegal drugs whilst protecting individuals confidentiality and the obligations of Care Stream.

**Scope**

All workers, service users and visitors.

**Policy**

Care Stream will proactively manage issues arising from the use of illegal drugs on its premises.

**Legal Framework**

The principal legislation covering the misuse of controlled drugs in the UK Misuse of Drugs Act 1971. The Act makes unlawful the production, supply and / or possession of drugs subject to control except in certain permitted circumstances such as when prescribed by a doctor.

* Section 8 of the Act states ‘a person commits an offence if being occupier or concerned in the management of any premises he knowingly permits or suffers any of the following activities to take place on the premises
* Producing or attempting to produce a controlled drug
* Supplying or attempting to supply a controlled drug
* Preparing opium for smoking
* Smoking cannabis, cannabis resin or prepared opium

The intention is to ensure that occupiers and managers of premises are vigilant to ensure that controlled drugs are not misused on the premises.

If illegal drug use by individuals, staff or visitors is known to be taking place in any of Care Stream premises and / or failure to inform and cooperate with the police could expose staff to prosecution.

**Procedure**

**Known or suspected possession or use of illegal drugs by individual**

* Any member of staff who observes or suspects that an individual is using or in possession of an illegal drug must report their suspicions to the Director of Operations immediately.
* **NOTE that a services property cannot be searched unless the individual is present and gives express permission and a second member of staff witnesses the search.**
* The Director of Operations and another employee witness should advise the individual that Care Stream does not permit or tolerate the use of illegal drugs on premises managed by them. The individual should voluntarily be invited to hand over the illegal drugs in his or her possession. These should be kept as evidence for the police in a locked cupboard.
* A record of the conversation and a picture of the drugs should be kept; the record is a need to know record.
* The Director of Operations will contact the multidisciplinary team, the placing authority and CQC. A referral may also need to be made to the Alcohol and Drug Advisory Service.
* The police will be informed and will take the necessary action.

**Refusal to surrender an illegal drug**

Care Stream has no authority to remove or retain any substance without the individual’s express permission.

In the event that the individual refuses to surrender an alleged illegal drug, the Director of Operations will consult with the Directors of Care Stream with a view to formally contacting the police.

**Illegal drugs handed over by the person being supported**

The illegal drugs should be placed in a sealed envelope and two staff should sign the envelope stating what they perceive the illegal drug to be.

This should be kept in the controlled medication cupboard if the service has one or another locked medication cupboard.

Inform the police to arrange removal and make statements; it is considered the Police will be informed of all illegal drugs found, to ensure the safety of the other individuals living within the project.

**Supplying or dealing in illegal drugs**

Where the quantity or circumstance of the observation, suspicion or surrender of illegal drugs gives rise to the suspicion that there was an intension to supply drugs to others the police will be informed.

**Visitors**

There is a duty of confidentiality in respect of visitors.

Any visitor suspected of being in possession of illegal drugs will be asked to leave the premises.

The police will be informed.

**Staff**

Any observation or suspicion of the use of illegal drugs on the premises by staff must be reported to the Director of Operations who will deal with the matter according to disciplinary procedure.

This Policy will be reviewed annually.