

EXECUTIVE COUNCIL

RESTRICTED

Title of Report: Sanctions for the Abuse of Drugs and/or Alcohol by Further and Higher Education Students
Paper No: 25/09
Date: 29th January 2009
Report of: Director of Education

1.0 Purpose

To propose a range of sanctions to be levied against Further and Higher Education students who are proven to be guilty of drug and/or alcohol abuse.

2.0 Recommendation

That Members approve the recommended sanctions detailed in Paragraphs 5.8, 5.9 and 5.10

3.0 Summary of Financial Implications

None but potential savings should any sanctions be imposed

4.0 Background

4.1 During the academic years 2007/8 and 2008/9 there has been an increase in the number of reported incidents from Peter Symonds and Chichester College of Falkland Island students who have been under the influence of drugs and/or alcohol.

4.2 One student has been permanently excluded from Peter Symonds College for possession of and admitting to the use of drugs. This exclusion followed other incidents involving the same student of drunken and on one occasion aggressive and violent behaviour and lack of attention to his 'A' level studies.

4.3 A student at Chichester was found in possession of drugs. He was subsequently arrested by the police and given a caution.

4.4 During the last two years there have been several incidents at both colleges of students being incapacitated by alcohol. In one instance a student required

hospital treatment and in another a student had to be kept under surveillance to ensure that hospital treatment was not required.

4.5 Anecdotal evidence would suggest that these are not isolated incidents and the Colleges have raised concerns about other students but as yet they cannot substantiate their fears with concrete evidence.

4.6 Both Colleges continue to maintain that the students have a far greater level of disposable income than their UK counterparts and this contributes to the problem.

5.0 Proposal

5.1 Currently, the FE and HE Funding Policies (September 2009) allows for financial penalties to be imposed in the following circumstances (summarised):

- Should a student withdraw from a course for no good reason;
- All 'overpaid' grant costs will be repaid. Where the withdrawal from the course is part way through the academic year then the grant repayment will be pro-rata for the remainder of the year.
- if he or she receives very poor results for which there is no valid explanation;
- if he or she warrants a claim on the Damage Deposit; or
- if he or she fails to return to College by the start of term or leaves before the end of term, without authorisation from the Education Department.

5.2 Thus there are no specified sanctions for the abuse of drugs and/or alcohol or indeed violent and/or criminal behaviour.

5.3 A previous consultation with Members about this issue resulted in a recommendation from them that the following sanctions should be applied.

Further Education students

- (a) For a first proven incident involving abuse of drugs and/or alcohol the maintenance grant available to students will be reduced; and
- (b) A second occurrence of abuse of drugs and/or alcohol will result in the complete withdrawal of funding.

Higher Education Students

- (c) Any proven serious criminal offence involving abuse of drugs and/or alcohol will result in the complete withdrawal of funding.
- (d) The student will remain free to continue their education but at their own expense.

5.4 However, following discussion with the Attorney General, it was suggested that these sanctions were not equitable in that different penalties were applied to different students and also that they were not specific enough. For

example should a student be violent whilst not under the influence of alcohol and drugs did that mean that different sanctions would apply?

- 5.5** It was also suggested that there was inequality in that the sanctions would favour students from more well off families as it was possible for parents to supply sufficient funding for the students to continue their studies.
- 5.6** Given the events which have taken place in recent times the Director of Education is of the opinion that specific sanctions for infringements of this type need to be made more clearly so that there is no ambiguity and that the position of FIG in relation to such behaviours is clear.
- 5.7** Taking into consideration the views expressed through the Attorney General, the following are recommended as appropriate sanctions for proven abuse of drugs and/or alcohol and/or violent and/or criminal behaviour.
- 5.8** In the first instance (that is for a first infringement of the stated policies of the Colleges and/or University) it is recommended that the disciplinary policies of the Colleges and/or University concerned should determine the appropriate sanction to be applied.
- 5.9** For a second incident as well as the College and/or University imposed sanctions the following should apply:

Further Education students

- (e) For a second proven incident involving abuse of drugs and/or alcohol and/or violent and/or criminal behaviour the maintenance grant available to students will be reduced by 50%. The ‘pocket money’ element of support will therefore be reduced to approximately £25 per week. This remains sufficient to support the personal needs of students over and above the full board accommodation which they currently enjoy. The penalty will be applied for 12 months. At the end of that period as long as there have been no other incidents the full amount of grant will be reinstated.
- (f) A third occurrence of abuse of drugs and/or alcohol and/or violent and/or criminal behaviour will result in the complete withdrawal of funding. FIG will fund their voluntary return to the Islands. Should the Colleges be prepared to continue to provide education to the students concerned, continuance of their course would be subject to full parental funding.

Higher Education Students

- (g) For a second proven incident involving abuse of drugs and/or alcohol and/or violent and/or criminal behaviour the maintenance grant available to students will be reduced by 30% (this is less as this funding provides for accommodation and food not only a personal allowance). The penalty will be applied for 12 months. At the end of that period as long as there have been no other incidents the full amount of grant will be reinstated.

- (h) A third occurrence of abuse of drugs and/or alcohol and/or violent and/or criminal behaviour will result in the complete withdrawal of funding. FIG will fund their voluntary return to the Islands. Should the University be prepared to continue to provide education to the students concerned, continuance of their course would be subject to the student personally funding their course.

5.10 It is recommended that these sanctions should apply from February 2009 and should not be applied retrospectively. They will however apply to all new and existing students if approved.

6.0 Financial Implications

None except a potential saving on the annual overseas student budget should any student have their funding reduced or withdrawn.

7.0 Legal Implications

All existing students should be informed in writing of this change in policy and advised that their continued acceptance of funding is understood on this basis. The AG also has expressed concern that students from less well off families may have their whole education curtailed whereas those from more affluent backgrounds would continue to be funded by their parents.

8.0 Human Resources Implications

None