

# Alcohol and Drugs (Students) Policy

## Section 1 - Background and Purpose

- (1) La Trobe University aspires to provide an outstanding student experience that is conducive to scholarly activity and supportive of individual learning goals. Underpinning this experience is a safe, inclusive and respectful environment.
- (2) The University respects an individual's right to exercise their freedom of choice, however the health, safety and wellbeing of students, staff and members of the University community is paramount.
- (3) This Policy and its attendant Procedures details the University's commitment to reducing the risk of harm in relation to alcohol and drug use.

## Section 2 - Scope

- (4) This Policy and its attendant Procedures applies to all students at all campuses (including all venues where students are representing the University across Australia and overseas).

## Section 3 - Policy Statement

- (5) The University is committed to:
- Maintaining a safe and healthy work, learning, research and residential environment;
  - Ensuring a mature, balanced and responsible approach to the consumption of alcoholic beverages is presented in all marketing, promotion or sponsorship of events which involve alcohol;
  - Reserving the right to proclaim any area or event either temporarily or permanently an alcohol-free zone;
  - Promoting low-risk drinking and a responsible attitude towards alcohol amongst those who choose to drink;
  - Promoting and maintaining a drug-free environment; and
  - Adhering to responsible service of alcohol provisions.
- (6) The University expects all students to abide by a number of standards at all times. These include:
- Abiding by both the University's requirements and the law, which prohibits the possession, solicitation, sale, distribution, manufacture/production of or consumption of illicit (illegal) drugs at all times;
  - Ensuring that the consumption of alcohol and legal drugs while on campus, when attending campus, at University activities or when representing the University does not:
    - place the health and safety of anyone at risk
    - cause damage to the University's property
    - impact an individual's judgement or ability to perform their duties/studies
    - disparage, deride or defame the University;

- c. Students who have access to the University property must not be impaired by or have consumed any alcohol/illicit drugs or be impaired by legal drugs whilst operating resources (ie equipment/technology) or studying/conducting activities within laboratories;
- d. Comply with the University's [Health and Wellbeing Procedure - Smoke Free](#);
- e. Comply with the social events requirements as set out in the [Events Safety Procedure](#) and which the Vice-Chancellor may change from time to time relating to the promotion, advertising and consumption of alcohol at events involving alcohol; and
- f. Comply with relevant policies, procedures and the law.

## **Reasonable Direction**

(7) Students must follow the reasonable directions of the University staff (and law enforcement officers such as the Police) in relation to management and use of alcohol at University venues, events or in relation to attendance or remaining on the University campuses if adversely affected by alcohol/drugs.

(8) The University reserves the right to proclaim any area or event either temporarily or permanently an alcohol-free zone. No-one is to consume or store alcohol in an alcohol-free zone.

# **Section 4 - Procedures**

## **Prohibited (Illicit/Illegal) Drugs**

(9) Students must abide by the law which prohibits the possession, solicitation, sale, distribution, manufacture/production of or consumption of illicit (illegal) drugs at all times. This includes drugs such as amphetamines (stimulants), methamphetamines (ecstasy, ice, speed) cocaine, cannabis and opiates (heroin).

## **Prescription and Over the Counter Drugs and Medications**

(10) The possession and/or use of legal drugs/medications is only permitted for:

- a. Drugs prescribed by a medical practitioner;
- b. Over-the-counter drugs as permitted by law; and
- c. Drugs taken in accordance with the recommended dosage and directions.

## **Prescription Drugs/Medication**

(11) Prescription drugs/medication can only be obtained by a written prescription from a doctor.

## **Over the Counter Drugs**

(12) Over the counter drugs (also known as pharmaceutical drugs) are drugs or medications which can be purchased over the counter from a pharmacy. They include drugs that can contain various chemicals, including pseudoephedrine and benzodiazepines.

(13) These medications may affect someone's ability to effectively and safely perform their activities. Therefore, it is important to ask the pharmacist about possible side effects.

(14) Students are not in breach of this Policy or this Procedure as a result of taking prescription drugs/medications prescribed to them, however, should taking a prescription drug/medication result in impaired behaviour which creates a risk to the health and safety of others and/or causes damage to the University resources, this will be managed accordingly.

## **Alcohol**

(15) Drinking alcohol can be quite harmful as it is a central nervous system depressant. This means that it slows down the processes occurring in the higher centres of the brain, resulting in symptoms of alcohol intoxication. Among others, these symptoms include loss of balance, poor coordination of the eyes and limbs, tunnel vision and impaired judgement.

## **Tobacco**

(16) The University requires students to comply with legislative requirements governing the production, distribution and consumption of tobacco products (e.g. smokes, cigarettes, cigars and pipes).

(17) When on campus, students are required to abide by the University's [Health and Wellbeing Procedure - Smoke Free](#).

## **Representing La Trobe University**

(18) Students must ensure that the consumption of alcohol and legal drugs while representing the University does not:

- a. Place the health and safety of anyone at risk;
- b. Cause damage to University property;
- c. Impact an individual's judgement or ability to perform their duties/tasks; and
- d. Disparage, deride or defame the University.

(19) Where alcohol is provided at a formal event, consumption is a personal choice. No one should feel pressured to drink or not to drink, or be made to feel uneasy or embarrassed as a result of their choice.

(20) The University will not tolerate unsafe, unwelcome or offensive behaviour caused by the irresponsible consumption of alcohol or drugs by students.

## **Expected Behaviour**

(21) When students represent the University at an event, the following applies:

- a. Students who consume alcohol must do so responsibly;
- b. Students must uphold an appropriate standard of behaviour at all times and being inebriated is not an 'excuse' for misconduct; and
- c. Students should consider their options to ensure a safe means of transport to and from such events.

## **University Resources and Laboratories**

(22) Students who have access to the University property must not be impaired by or have consumed any alcohol/illegal drugs or be impaired by legal drugs whilst operating the resources or studying/conducting activities within laboratories.

## **Students Residing in University Owned or Managed Accommodation**

(23) Residents must exercise maturity and community consciousness and accept personal responsibility for their own alcohol consumption and show care and consideration for other members of the residential community.

(24) Residential students are responsible for ensuring their visitors or invitees do not breach any University statutes, by-laws, regulations, rules, policies or procedures whilst on University premises (including the Accommodation Services precinct).

(25) Action taken when responding to violent behaviour will comply with the [Responding to Violence \(Students\) Procedure](#). Instances of unacceptable behaviour will be documented and discussed with the resident as soon as appropriate in the circumstances.

## **Social Event Requirements**

(26) The written permission of the Vice-Chancellor (or delegate) is required before a University organised event involving the consumption of alcohol is held on any of the University's sites (including residential colleges), except in the case of licensed premises.

(27) Those supervising such events and participating in University activities are expected to do so in a safe, responsible manner that will not harm fellow University staff, students, others visiting the site or harm the University's reputation.

(28) All activities organised by the University involving alcohol must have at least one person nominated as the event coordinator who will be responsible for the planning and management of the event.

(29) The event coordinator will be responsible for taking all reasonable steps to reduce risk and minimise harmful behaviour arising from the conduct of the event and must conduct this process in accordance with relevant procedures (see [Events Safety Procedure](#)). Alcohol must be served by staff appropriately trained in the responsible service of alcohol.

## **Marketing, Promotions and Sponsorship**

(30) Marketing, promotion or sponsorship of on-campus events which involve alcohol must only depict responsible and moderate consumption of alcoholic beverages, and accordingly:

- a. Must not encourage excessive or rapid consumption, misuse or abuse of alcohol or promote offensive behaviour;
- b. Must not encourage under-age drinking;
- c. Must not identify access to free or cheap alcohol;
- d. Must not depict the consumption or presence of alcohol as causing or positively contributing to personal, academic, business, social, sexual, sporting, or other successes and activities; and
- e. Must not suggest that the consumption of alcohol offers any therapeutic benefit or is a necessary aid to relaxation or an improvement of mood.

## **Responsible Service of Alcohol**

(31) The responsible service of alcohol provision ensures responsible and ethical serving of alcohol. These provisions must be adhered to at all times where alcohol is involved in a promotional activity or where it is intended to be served to members or visitors to the University on a complimentary or retail basis.

## **Alcohol-Free Zones**

(32) The Vice-Chancellor (or delegate) reserves the right to proclaim any area or event either temporarily or permanently an alcohol-free zone.

## **Identifying and Managing Impaired Behaviour**

### **Identifying Intoxicated or Drug-Impaired Persons**

(33) It is important to make sure that the person is actually impaired by alcohol or other drugs, as the person may be affected by something else, such as stress, fatigue or illness.

(34) Observing the person for typical signs of intoxication may help to make that judgement. Typical signs of alcohol or drug intoxication include:

- a. Speaking too loudly or too softly;
- b. Slurred speech;
- c. Bloodshot eyes;
- d. Lack of alertness, for example, responding slowly to questions;
- e. Poor motor control (stumbling, bumping into others, difficulty picking things up, etc.);
- f. Drowsiness;
- g. Scent of alcohol on breath or person; and
- h. Rude or aggressive behaviour.

### **Managing Impaired Behaviour**

(35) Should the University require that a student be removed from campus, it is important to ensure the student has a safe means of transport home. For this reason, the University should ensure the student is, wherever possible, transported home in a safe manner and ensure they do not drive a vehicle.

(36) If the impaired student is not cooperating, consideration should be given as to whether there is a risk to health, safety and/or security to others and themselves. In this event, University Security should be called. In the case of life threatening emergency, 000 should be called, followed by a call to University Security.

(37) In the event that the impaired student is living in University owned or managed accommodation, University Security should be called in the first instance.

### **Responsibilities**

(38) While alcohol is available for consumption generally on University premises and at official University functions, the University requires that students, staff and visitors be unimpaired by alcohol/drugs.

(39) Individuals are responsible for their own behaviour when they consume alcohol/drugs and may face disciplinary action for their behaviour if they act irresponsibly under the [General Misconduct Statute](#).

(40) All staff, students and visitors are responsible for ensuring each other's safety whilst on campus or representing the University in any capacity in Australia or overseas.

### **Resolving Issues**

(41) There are two potential ways for resolving issues involving unacceptable alcohol related behaviour. The first involves attempting local level resolution:

- a. Local level resolution led by a staff member (if appropriate);
- b. Investigation (if local level resolution fails or is inappropriate); and
- c. General Misconduct.

(42) The second is lodging a formal complaint via the online web form to [Student Complaints](#):

- a. Make a complaint through [Student Complaints](#);
- b. Local level resolution with staff member (if considered appropriate as a first action);
- c. Investigation (if local level resolution fails or is inappropriate); and
- d. General Misconduct.

## Local Level Resolution

(43) Local level resolution is led by staff. The aim of local level resolution is to stop unacceptable behaviour through negotiation with the parties concerned using the following process. If a student reports an incident to staff:

- a. Ensure that the student is aware of the support services available at the University; and
- b. Explore options for the person bringing the complaint to manage the situation themselves through clear and direct communication about the unacceptable behaviour.

(44) The person bringing the complaint needs to clearly articulate the context of the behaviour and what they would like as a resolution. Examples include, but are not limited to:

- a. An agreement to not contact each other in any way in the future;
- b. An agreement for the unacceptable behaviour to stop and an apology offered in writing or in person demonstrating reflection on such behaviour;
- c. An agreement to engage socially in different parts of the University and not to speak to each other; and
- d. Agreement to not post offensive material on Facebook/social media in future.

(45) The negotiation of the agreement can be conducted via individual meetings with concerned parties, a discussion between the parties or email communication.

(46) Both parties need to sign a written agreement which is to be witnessed by the staff member managing the resolution process.

## Make a Complaint

(47) If students do not feel comfortable attempting a local level resolution, they are encouraged to contact [Speak Up Webpage](#) or make a complaint via the online web form to [Student Complaints](#).

(48) [Student Complaints](#) will then assess the complaint and refer to the appropriate staff or area within 1-2 business days, unless the matter is complex and requires more time. If this occurs, the complainant will be notified.

(49) Please note that the complaint is confidential until it becomes necessary to share that information to further the complaint process.

## Referral for Investigation

(50) If the local level resolution:

- a. Is not appropriate in the circumstance; or
- b. Parties do not agree to resolution attempts; or
- c. The behaviour is repeated; then
- d. Matters will be referred to a senior staff member, who must conduct an investigation into the behaviour and prepare a fact-finding brief.

## General Misconduct Process

(51) Under s.5 of the [General Misconduct Statute 2009](#), a student who engages in general misconduct is liable for punishment under the Statute.

(52) A senior member of staff must investigate any alleged or suspected act of general misconduct on the part of a student of which they become aware.

(53) If the senior member of staff is satisfied there is enough evidence to support a finding of general misconduct, the senior member must report the matter to a General Misconduct Officer for determination.

(54) The General Misconduct Officer must hear and determine all allegations of general misconduct reported to them under the statute. The Officer is bound to the rules of procedural fairness, not bound by the rules of evidence applicable to courts.

(55) The student may be accompanied by a support person, other than a legal practitioner or person with a law degree.

(56) If there is a finding of general misconduct, the General Misconduct Officer may impose any of the consequences outlined in s.10(4) of the [General Misconduct Statute](#).

## **Appeals Process**

(57) If the student perceives that the behavioural concern has not been adequately addressed through the formal complaints process, the decision may be appealed.

(58) Once all reasonable steps have been taken to resolve the complaint with the person or department in question, individuals may contact the University Ombudsman. Their contact number is 03 9479 1897 and their email is [ombudsman@latrobe.edu.au](mailto:ombudsman@latrobe.edu.au).

(59) If the matter is still not resolved, the person may contact an external body for assistance, such as the Victorian Ombudsman.

## **Drug Related Behaviour**

(60) Engaging in local level resolution will not be appropriate if drug-related behaviour is alleged. The aforementioned information regarding the process of investigation, General Misconduct and Appeals is applicable.

## **Emergency Assistance**

### **Emergency Support**

(61) For emergency support students and staff are encouraged to contact Campus Security on 03 9479 2222 or ex. 2222. Further information about emergency procedures can be found by visiting <http://www.latrobe.edu.au/security>

## **Making a Complaint**

(62) If students or staff wish to lodge a complaint please do so via the:

- a. [Student Complaints](#) web page;
- b. Telephone: (03) 9479 5308; or
- c. Email: [studentcomplaints@latrobe.edu.au](mailto:studentcomplaints@latrobe.edu.au)

## **Support Services**

(63) The University recognises that alcohol and drug dependency can be a major health issue. La Trobe University provides access for students to confidential, professional and free counselling.

### **Student Counselling and Mental Health**

(64) The University provides free and confidential short term individual counselling to currently enrolled students. For bookings, contact: <http://www.latrobe.edu.au/students/wellbeing/counselling/about>

## **Ask La Trobe**

(65) [ASK La Trobe - Ask a Question](#) is the 24 hour, 7 days a week student Q&A help service about study and student life.

Website: <http://latrobe-current.custhelp.com>

## **Student Union and Associations**

(66) Offering a range of support for students seeking assistance with academic issues, advocacy, legal assistance, emergency housing or tax/financial help.

Albury-Wodonga: <http://www.wsawodonga.com.au/>

Bendigo: 03 5444 7514 or visit <https://www.bsabendigo.com.au/>

Bundoora: 03 9479 2314 or visit <http://www.latrobesu.org.au/>

Shepparton: 03 5820 8607 or visit <http://www.latrobesu.org.au/>

Mildura: 03 5051 4053 or visit <http://www.latrobesu.org.au/>

## **La Trobe Psychology Clinic**

(67) Psychological therapy, child behaviour clinic, neuropsychological assessments and programs, group programs. Services are affordable and there is no need for a referral.

Telephone: (03) 9479 2150 or

Email: [psych-clinic@latrobe.edu.au](mailto:psych-clinic@latrobe.edu.au)

## **Alcoholics Anonymous (AA)**

National helpline: 1300 22 22 22

## **Narcotics Anonymous**

Helpline Phone 1300 652 820

## **beyondblue**

Helpline: 1300 22 4636

## **Lifeline**

Helpline: 13 11 14



Helpline: 1800 888 236

**Family Drug Help**

Helpline: 1300 660 068

## **Section 5 - Definitions**

(68) For the purpose of this Policy and Procedure:

- a. Adversely affected by alcohol/drugs is a person who may be displaying impaired, harmful, negative or unfavourable behaviour as a result of alcohol or drug consumption;
- b. Alcohol is any liquid substance that contains measurable quantities of alcohol;
- c. Contractor is a person employed either directly or indirectly by a company contracted to La Trobe University to provide equipment and/or services to the University;
- d. Drugs refer to all legal and illegal substances, including performance and image enhancing drugs (PIEDs), tobacco, pharmaceutical substances, illicit drugs and 'new psychoactive substances' or 'synthetic' drugs;
- e. Illicit drugs are any substance classified by the Therapeutic Goods Administration (a division of the Commonwealth Department of Health & Aged Care) which is illegal to use or prescribe;
- f. Impairment is the alteration of normal physical or mental function, which results in diminished ability to perform tasks and activities in a safe manner;
- g. Incident is an undesirable or unplanned event that results in, or had the potential to result in, damage to business assets (people, plant, equipment) or interrupts business operations (process loss);
- h. La Trobe University property includes land, property, buildings, structures, installations, production facilities, vehicles, machinery/equipment owned by, controlled by, or under contract or lease to the University;
- i. La Trobe University resources includes land, property, buildings, structures, installations, production facilities, vehicles, machinery/equipment owned by, controlled by, or under contract or lease to the University:
  - i. La Trobe University 'campus', site or premises includes all land, property, buildings, structures, installations, production facilities or vehicles owned by, controlled by, or under contract or lease to the University
  - ii. La Trobe University vehicle is a University vehicle which is owned, leased, hired by the University and used by either a staff member or contractor of the University during working hours. A vehicle is not deemed to be a University vehicle if it forms part of an employment/contract salary package and is being used for private purposes on which Fringe Benefits Tax(FBT) is paid by the employee/contractor
  - iii. La Trobe University residence is a University owned and/or operated student accommodation;
- j. Legal limit is 0.05 Blood Alcohol Concentration (BAC) for consuming alcohol and driving;
- k. Residential students/residents are students whose name(s) are listed in the Residential Agreement. La Trobe University residences include residences, residential apartments or any of the regional properties;
- l. Senior Staff Member is a University staff member who has the authority to redress unacceptable behaviour, who has the duty to report incident of unacceptable behaviour, or who a student could reasonably believe has this authority or duty (this includes a staff member currently employed at Level C or HE09 and above); and
- m. Student is any person enrolled as a student of La Trobe University. This includes full time, part time, block mode or distance education students.



## Status and Details

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