

The Select Committee - Inquiry into Electronic Cigarettes and Personal Vaporisers (Vaping)

Department of Education response

14 April 2023

The Department of Education (the department) submits the following information to the inquiry in respect to interest area iv: the approaches being taken to discourage the uptake and the use of e-cigarettes and personal vaporisers in Northern Territory (NT) Government Schools.

The department is committed to assisting schools to implement sequential, age and contextually relevant education and policies that aim to reduce the adverse effects of vaping by school children.

The department does not hold data of student vaping incidents however observational and anecdotal advice from schools supports the statement in the [2022 ANU report on e-cigarettes](#) that the use of electronic cigarettes and vaping among young people is growing across Australia.

The department has recently reviewed and updated its policy and guidelines for the 'management of drug related incidents in schools' to specifically identify vaping and vaping paraphernalia under the Drugs in Schools policy. The Drugs in Schools policy and supporting guidelines are attached for your information (Attachment A and B refers). These documents are available for schools from the department's intranet site and can be accessed by the general public from the department's Policy and Advisory Library (<https://education.nt.gov.au/policies/health-safety/drugs-in-schools>).

The department has been working closely with the Department of Health (NT Health) to develop effective resources and education materials that will support schools in relation to vaping education that align with a broader public campaign. Permission has been granted by Western Australia's (WA) Department of Education and Department of Health, for the department to adapt the WA Vaping Teacher resource and the WA Schools Anti-Vaping Toolkit for the NT. The owners of the embedded educational video, Cancer Council WA, have also granted permission to re-record the videos, adapting the content for NT audiences. Additionally, NT Health have secured a licence agreement with New South Wales Health to rebrand their toolkit of materials titled *Do you know what you're vaping?* for use in the NT. The materials included in the

licence agreement can be viewed at <https://www.health.nsw.gov.au/vaping>. This cross-jurisdictional resource sharing has resulted in:

- Development of the Vaping Teacher Classroom Resources to align with the NT curriculum. This work is underway by Teaching and Learning Services;
- Development of NT-specific fact sheets for teachers, parents and young people on the harms associated with vaping; and
- A social media campaign to accompany the rollout of these materials, which are likely to be available in early to mid-2023.

In addition, NT schools are employing a number of strategies to address the issue of vaping including:

- installation of vaping sensors in toilet blocks
- strong and clear messaging to students that vaping will not be tolerated.
- increased teacher supervision of areas where students are known, or likely to vape
- planning for future refurbishment of toilet blocks to address anti-social behaviour issues including vaping
- encouraging students to report to their year level coordinator and or any teacher on duty if they have concerns with student behaviour in bathrooms.

Drugs in schools – policy

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Read this document with the Drug education guidelines and Management of drug related incidents in schools guidelines.

1. Introduction

All Northern Territory (NT) Government schools must plan for and implement appropriate responses to drug related incidents, with an emphasis on prevention through curriculum-based drug education. Schools are required to deliver drug education as part of a standard curriculum program using the principles outlined in the Drug education guidelines and in accordance with the Australian Curriculum: Health and Physical Education.

The Department of Education (department) will assist schools to implement sequential, age and contextually relevant drug education programs and policies that aim to reduce the adverse health, social and economic effects of drug use; recognising that schools are well placed to provide young people with the skills and knowledge to make sound choices and decisions.

The department does not tolerate the possession or use of drugs in schools and applies a harm minimisation approach to the management of suspected drug-related incidents. The possession, use and distribution of illicit and licit drugs in government schools is regarded as a serious breach of discipline and may constitute grounds for suspension under section 91 of the *Education Act 2015*.

Schools must be prepared for situations where students may be suspected of possession, supply or use of drugs and have procedures for managing the incident in accordance with relevant legislation and the department's policy and guidelines.

For clear direction in developing and implementing policies and procedures for responding to such situations in a timely and effective manner, schools should refer to the Management of drug related incidents in schools guidelines.

2. Business need

Drug use by students is a concern for the department, parents, educators and the community because of the potential for harm. Harmful drug use is associated with an increased risk of poor educational, social and health outcomes.

Schools can play an important role in the prevention of drug use by providing supportive environments that strengthen student resilience and protective behaviours, a curriculum that engages students and is relevant to their needs, and by encouraging students to stay at school.

It is important for schools to have strategies in place to manage drug-related incidents, and for parents and students to receive strong, consistent messages about drugs that encourage a proactive approach to minimise the risks associated with drugs and drug use.

Students need to be equipped with the skills and knowledge to keep them safe in a society where drug use occurs and, in some circumstances, is condoned or encouraged. Engaging students in drug education assists them to make safe and healthy choices, identify risks and develop strategies to prepare them for challenging situations.

This policy will ensure a clear and consistent approach to the management of drug related incidents and the delivery of drug education in schools.

3. Scope

This policy applies to:

- the possession, supply and use of licit, such as alcohol and tobacco or e-cigarettes, and illicit, such as cannabis, drugs on school premises by students in NT Government schools
- inappropriate use of prescribed or over the counter medications
- inappropriate use of inhalants or volatile substances
- the strategies schools should undertake to control, regulate and respond to drug use, possession and distribution or supply in the school context and prevent or minimise student uptake of harmful drug use through curriculum-based drug education.

This policy does not apply to:

- medical or pharmaceutical drugs sanctioned in writing for students with notified medical conditions of a chronic – constantly recurring, or severe – critical or dangerous, nature. This is addressed in the administration of medications to students with notified medical conditions policy
- the use and possession of medication for the treatment of short-term illnesses and infections with antibiotics, or drugs commonly used for pain relief such as paracetamol. The administration of these medications requires written parental consent and is the responsibility of the first aid officer in the school. Refer to the department’s administration of medications to students with notified medical conditions policy
- the suspension, expulsion and detention of students as a result of drug-related incidents whilst in school. Schools should develop their own drug policy that includes consequences and roles and responsibilities tailored to the school’s context and in accordance with the Management of drug-related Incidents in schools guidelines. For more information regarding suspensions, expulsion and detention please refer to the suite of policy documents Managing student behaviour: detention, suspension and expulsion
- the use and consumption of alcohol or tobacco by department staff on school premises. Refer to the Alcohol consumption on department premises and Smoke free premises policies.

4. Roles and responsibilities

4.1. Principals

Principals are responsible for:

- ensuring that the school’s policy reflects the department’s policy and aligns with relevant legislation
- ensuring that all students and parents are aware of the policy and the consequences of possession, supply or use of drugs at school
- ensuring that all staff are familiar with the policy and procedures for managing drug related incidents
- establishing procedures for management of the situations where school staff have reported suspected drug related behaviours
- ensuring the school delivers a health education program that includes sequential and contextually relevant drug education.

4.2. Teachers

Teachers are responsible for:

- the delivery of drug education programs that addresses the needs of the students.

4.3. School counsellors

School counsellors, where applicable, are responsible for:

- supporting students who are at risk of harm related to the misuse of drugs
- working with the school to develop support plans for 'at risk' students
- where appropriate, initiating referrals to outside agencies.

4.4. School staff

All school staff are responsible for:

- demonstrating positive role modelling to students and the school community
- informing the principal in circumstances where they reasonably suspect that a student may be involved in drug related behaviours
- reporting suspected abuse or neglect, that may be related to student drug use, via the appropriate channels.

4.5. School based police officers

School based police officers are responsible for:

- operating in accordance with NT Police requirements and in collaboration with the department. Refer to Police in NT Government schools on the department's website¹
- conducting interviews on school premises in exceptional circumstances only.

5. Definitions

For the purpose of this policy, the terms drug and drug use refer to all illicit and licit substances and suspected substance use, possession or supply.

Term	Definition
Drug	For the purpose of this policy, drugs include alcohol, tobacco, illicit drugs and any other substance that alters brain function, resulting in changes in mood, perception, consciousness, cognition and behaviour. In some cases, drugs can also include over-the-counter and prescribed medications, such as pharmaceuticals, that can induce a drug-like state.
Drug-related incident	Situations where students are suspected of being under the influence of a drug, in possession of a drug, drug-use implement or substance suspected

¹ <https://education.nt.gov.au/policies/health-safety/police-in-nt-government-schools>

	of being illicit or unsanctioned or are presenting something as an illegal substance.
Electronic cigarettes – e-cigarettes, vapes, electronic nicotine delivery systems, ENDS, e-shisha, e-cigars, e-pipes, e-Hookas, hookah-pens, vape-pipes and e-cigs	Devices designed to be used in a way that replicates or produces an experience similar to the use of a tobacco product. The electronic devices deliver vapourised liquids to the lungs when breathed in. The <i>Tobacco Control Act 2002</i> applies to e-cigarettes as if they were tobacco products.
Illicit drug	A substance that the use, possession, cultivation or trafficking of is prohibited or illegal by law. Illicit drug use occurs when drugs are used in an illegal manner. This can include using a drug for an improper purpose or using a product or substance that is not intended to be a drug in a way which produces a drug-like state.
Licit drug	Drugs that are able to be purchased legally such as alcohol, tobacco or e-cigarettes and caffeine. This can also include medication used to treat illness, over-the-counter drugs used as directed, and prescription medicines used by the intended person for the prescribed usage. When these drugs are used in a manner that is against the law such as alcohol purchased by or supplied to someone who is underage, they become unsanctioned. Students purchasing or supplying licit substances illegally such as alcohol can be issued with a fine by the police.
Harm minimisation	Involves a range of approaches to prevent and reduce drug-related harm and can include abstinence from drug use, prevention, early intervention, specialist treatment, supply control and safer drug use.
Parent	Signifies a child’s father, mother or any other person who has parental responsibility for the child, including a person who is regarded as a parent of the child under Aboriginal or Torres Strait Islander customary law or tradition.
Volatile substances	Also known as inhalants or solvents and can include volatile solvents, such as petrol, aerosols, gases, glues and nitrites. These substances give off vapours and fumes at room temperature and contain psychoactive properties that can be potentially intoxicating when inhaled. Volatile substances carry significant risk and have the potential to cause cardiac sensitisation which can result in cardiac arrest or heart failure. Where a student is suspected of being under the influence of a volatile substance it is important that they are treated carefully and avoid sudden shock or over-exertion, for example physical activity such as running.
School Based Police Officer	A police officer designated to primary, middle and senior schools within their area of responsibility with particular focus on crime prevention and enhancing relationships between police and the community through positive interaction with youth.

6. Related legislation, policy and documents

6.1. Legislation and strategies

- *Education Act 2015* – <https://legislation.nt.gov.au/en/Legislation/LIQUOR-ACT-2019>
- *Liquor Act 2019* – <https://legislation.nt.gov.au/en/Legislation/LIQUOR-ACT-2019>
- *Medicines, Poisons and Therapeutic Goods Act 2012* – https://legislation.nt.gov.au/Search/~/.link.aspx?id=5A88F7688B9E4844B602AC78C064CEBC&_z=z
- *Misuse of Drugs Act 1990* – <https://www.health.gov.au/resources/collections/national-drug-strategy>
- *National Drug Strategy 2017 - 2026 (Cth)* – <https://www.health.gov.au/resources/collections/national-drug-strategy>
- *Tobacco Control Act 2002* – https://legislation.nt.gov.au/Search/~/.link.aspx?id=63E7EACE082543E4BD930D9B63C3CA17&_z=z
- *Youth Justice Act 2005* – https://legislation.nt.gov.au/Search/~/.link.aspx?id=0A377F4AEBB24A7CB6117D80D499D1AB&_z=z

6.2. Department of Education documents

- *Administration of medications to students with notified medical conditions policy* – <https://education.nt.gov.au/policies/health-safety/medications>
- *Alcohol consumption on department premises policy suite* – <https://education.nt.gov.au/policies/school-operations/alcohol-consumption-on-department-premises>
- *Managing student behaviour: detention, suspension and expulsion policy suite* – <https://education.nt.gov.au/policies/school-operations/alcohol-consumption-on-department-premises>
- *Police in NT Government schools* – <https://education.nt.gov.au/policies/health-safety/police-in-nt-government-schools>
- *Smoke free premises* – <https://education.nt.gov.au/policies/school-operations>

Acronyms	Full form
NT	Northern Territory

Document title	Drugs in schools – policy
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1	20 September 2017	Student Wellbeing and Inclusion	FILE2017/1038 EDOC 2017/59233
2	28 February 2023	Student Wellbeing and Inclusion Programs and Services	Administrative amendments to align roles and responsibilities to the structural alignment in effect from 1 July 2022, including NTG template and minor formatting and addition of electronic cigarettes definition

Management of drug related incidents in schools – guidelines

Read this document with the Drugs in schools policy and the Drug education guidelines.

Introduction

Northern Territory (NT) Government schools must be prepared for situations where students may be suspected of possession, supply or use of drugs. They must have written policy and procedures for managing the incident in ways that ensure the health and safety of the students, other students, school staff and the broader school community, in accordance with relevant legislation and Department of Education (department) policy.

These guidelines provide the requirements for managing drug-related incidents and will assist schools to develop drug policies that include clear consequences and roles and responsibilities that are tailored to the school's context.

Under no circumstances are principals or school staff to dispose of suspected drugs or drug use implements. Where a student is found to be in possession of a suspected drug or drug use implement, the school must contact the police immediately to arrange collection and disposal.

Process

The Management of drug related incidents flowchart provides an overview of the process to be undertaken in situations where a student is suspected of drug use, possession or supply at school. Schools may wish to add additional steps or position titles or names to the flowchart for ease of use.

Ultimately, schools are responsible for providing a safe environment for students and staff. If there are reasonable grounds to suspect that a student is in possession of prohibited items such as illicit drugs and there is an immediate threat to safety, the principal has the authority to remove the bag until police can attend the scene and conduct a search.

At no point in time should a principal or school staff forcibly search a student's bag, belongings, or pockets. Where students have failed to consent, the parents must be contacted. Where necessary, the police will be contacted to attend the premises and conduct the search.

At no point in time should a principal or school staff accuse the student of possession or use of a substance, licit or illicit.

Management of drug related incidents flowchart



Roles and responsibilities

Principals

Principals are responsible for:

- developing and implementing school policy and procedures for managing drug-related incidents in schools that ensure the health and safety of the students, other students, school staff and the community and are in conjunction and consistent with department policy and relevant legislation
- ensuring that all school staff are aware of the process to follow when managing a drug-related incident and adhere to the relevant sections of department policy and legislation
- notifying Quality Education and Care NT (QECNT)¹ where incidents have occurred in a regulated service, for example, preschool or outside school hours care attached to the school
- informing the police in circumstances where illicit drugs are found – school-based police officers where applicable
- ensuring that all handling of suspected drugs or drug implements by school staff is limited, and that the suspected drugs or drug use implements are safely secured until the police are able to arrange collection and disposal
- assessing the need for referral to other agencies or relevant professionals and agencies to provide support for students, staff and parents, for example, professional development opportunities, medical assessments, counselling and rehabilitation services
- monitoring and reviewing the implementation and effectiveness of responses to drug-related incidents
- reviewing school policy to ensure currency and alignment to government and department policies.

School staff

All school staff are responsible for:

- demonstrating positive role modelling to students and the school community
- responding to information or incidents involving student use, possession or supply of drugs at school in line with school policy and procedures
- informing the principal or nominated staff member when they have reasonable grounds to suspect that a student is involved in drug-related behaviours
- where they have reasonable suspicion that a student is in possession of drugs, following the school policy and procedures for the management of drug-related incidents
- recording all details of a drug-related incident, including any actions taken, and referring to the principal or nominated staff member for appropriate action
- referring media enquiries to the principal or nominated staff member
- reporting suspected abuse or neglect, that may be related to student drug use.

¹ <https://education.nt.gov.au/committees,-regulators-and-advisory-groups/quality-education-and-care-nt>

School based police officers

School based police officers are responsible for:

- operating in accordance with NT Police requirements and in collaboration with the department. Refer to Police in NT Government schools on the department’s website²
- conducting interviews on school premises in exceptional circumstances only.

Definitions

Please also refer to the definitions provided in the Drugs in schools policy.

Term	Definition
Electronic cigarettes – e-cigarettes, vapes, electronic nicotine delivery systems, ENDS, e-shisha, e-cigars, e-pipes, e-Hookas, hookah-pens, vape-pipes and e-cigs	Devices designed to be used in a way that replicates or produces an experience similar to the use of a tobacco product. The electronic devices deliver vapourised liquids to the lungs when breathed in. The <i>Tobacco Control Act 2002</i> applies to e-cigarettes as if they were tobacco products.
Illicit drug	A substance that the use, possession, cultivation or trafficking of is prohibited, or illegal by law. Illicit drug use occurs when drugs are used in an illegal manner, such as cannabis and methamphetamine. This can also include using a drug for an improper purpose or using a product or substance that is not intended to be a drug in a way which produces a drug like state.
Licit drug	Drugs that are able to be purchased legally such as alcohol, tobacco or e-cigarettes and caffeine. This can also include medication used to treat illness, over-the-counter drugs used as directed, and prescription medicines by the intended person for the prescribed usage. Licit drugs can be used illegally and procedures for managing incidents where students are suspected of possessing, using and selling licit drugs on school premises or during school activities or events should be included in school policy and procedures. Students purchasing or supplying licit substances illegally, for example alcohol, can be issued with a fine by the police.
Volatile substances	Volatile substances can include petrol or other engine fuel, lighter fluid – butane gas, spray and aerosol paints, glue or white-out – correction fluid, and aerosol deodorants. In the NT it is not illegal to inhale or sniff volatile substances but it is against the law to supply someone with a substance if you know they intend to sniff or inhale it. Any students suspected of supplying volatile substances for the purpose of sniffing or inhalation must be dealt with by the police as their actions constitute a breach of the <i>Volatile Substance Abuse Prevention Act 2005</i> .

² <https://education.nt.gov.au/policies/health-safety/police-in-nt-government-schools>

Related legislation, policy and resources

Drug education guidelines – <https://education.nt.gov.au/policies/health-safety/drugs-in-schools>

Drugs in schools policy – <https://education.nt.gov.au/policies/health-safety/drugs-in-schools>

School policy template – <https://education.nt.gov.au/policies/health-safety/drugs-in-schools>

Volatile Substance Abuse Prevention Act 2005 – <https://legislation.nt.gov.au/Legislation/VOLATILE-SUBSTANCE-ABUSE-PREVENTION-ACT-2005>

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